

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara Parker  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

June 18, 2024

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Claim of BCAL LUP Harrison Property LLC  
City Attorney File No. C36610  
(Department of Public Works – Failed Sewer Main)**

President Fortunato Bas 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 One Hundred Ninety-Eight Thousand Four Hundred Eighteen Dollars and EIGHT cents (\$198,418.08), payable to BCAL LUP Harrison Property LLC (“Claimant”).

Claimant alleges that on September 13, 2023, raw sewage from a City sewer main overflowed through floor drains and into seven business suites. Claimant alleges that a blockage of the City’s sewer main caused the overflow and damaged its property.

The City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, June 6, 2024 (moved by Councilmember Noel Gallo and seconded by President Pro Tempore Dan Kalb - 8 Ayes).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER  
City Attorney

Assigned to this Claim:  
LLotus Ho, Claims Supervisor