

**JANUARY 18, 2024**

**CLOSED SESSION REPORT OF FINAL ACTION**

Date of Meeting: *Tuesday, January 18, 2024*

Anticipated Litigation Negotiations

**NAME OF ACTION:**

**Claim of Dawn White and Liuyi Xu**  
Claim No. C34897

This matter is listed as **Item No. 2** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$68,900.59**

This case arose out of an incident occurring on **October 23, 2021.**

**FACTS/ISSUES:**

On October 23, 2021, several storm drains failed and caused a flood at E. 9<sup>th</sup> Street and 35<sup>th</sup> Avenue. This resulted in water damage to the ground floor of the property of Dawn White and Liuyi Xu at 3450 E. 9<sup>th</sup> Street in Oakland. Claimants' allege that the incident caused flood damage that required extensive repairs.

Dawn White and Liuyi Xu filed a government tort claim to seek reimbursement of their damages. At this time, the alleged economic damages total approximately \$68,900.59. The approved settlement resolves all claims with the Claimants in this matter without litigation.

Motion Made by: **Councilmember Fife**

Motion Seconded by: **Council President Fortunato Bas**

**AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas=7**

**NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =**

**ABSENT: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =1**

**ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =**