

Barbara J. Park
Oakland City Attorney's Office

15 APR 16 PM 2:03

OAKLAND CITY COUNCIL

Resolution No. 85507 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO PARTIALLY COMPROMISE AND SETTLE THE CLAIM OF ELLEN REIER (CLAIM NO. C30485) IN AN AMOUNT NOT TO EXCEED FIFTY-NINE THOUSAND THREE HUNDRED SEVENTY-NINE DOLLARS AND ONE CENT (\$59,379.01), AS A RESULT OF PROPERTY DAMAGE SUSTAINED DUE TO A SEWER FLOOD CAUSED BY A FAILED CITY SEWER MAIN ON FEBRUARY 18, 2015 (PUBLIC WORKS AGENCY - DANGEROUS CONDITION/SEWERS)

WHEREAS, claimant alleges that on February 18, 2015, a City sewer main failed and causing flooding to her property at 1200 Westview Drive, and

WHEREAS, the claimant filed the above-entitled claim seeking payment for said damages, and

WHEREAS, the City of Oakland has determined that partial settlement now in this amount with additional payment later, 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 partially settle the claim of Ellen Reier, our file number C30485, in an amount not to exceed Fifty-Nine Thousand Three Hundred Seventy-Nine Dollars and one cent Dollars and One Cent (\$59,379.01) and be it

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

FURTHER RESOLVED: That the sum of Fifty-Nine Thousand Three Hundred Seventy-Nine Dollars and one cent (\$59,379.01), be made payable to Ellen Reier, as partial settlement of the claim of Ellen Reier.

FURTHER RESOLVED: That the City Administrator be reimbursed \$13,200.00 from temporary housing costs to date for Ellen Reier.

IN COUNCIL, OAKLAND, CALIFORNIA,

APR 21 2015

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REID~~ AND PRESIDENT GIBSON MCELHANEY - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - Reid - 1

Attest: *LaTonda Simmons*
LaTonda Simmons
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA