

CITY OF OAKLAND



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Office of the City Attorney
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April 3, 2007

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council

Subject: Resolution Authorizing Settlement of
Claim of USAA Insurance as subrogee of Andrew R. Brown
File Number: C25647

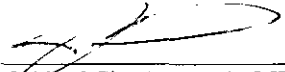
Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Ten Thousand Dollars and No Cents (\$10,000.00), payable to USAA Insurance as subrogee of Andrew R. Brown, as a result of sewer flood damage to the insured's property on December 8, 2006. The flooding was caused by a failed City sewer main. (Public Works Agency) This was not a closed session item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John A. Russo', written over a horizontal line.

JOHN A. RUSSO
City Attorney

OFFICE OF THE CITY CLERK


Oakland City Attorney's Office

2007 MAR 27 PM 12:40

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

JAR: end

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF USAA INSURANCE AS SUBROGEE OF ANDREW R. BROWN IN THE AMOUNT OF TEN THOUSAND DOLLARS AND NO CENTS (\$10,000.00), AS A RESULT OF PROPERTY DAMAGE SUSTAINED DUE TO A SEWER FLOOD CAUSED BY A FAILED CITY SEWER MAIN ON DECEMBER 8, 2006. (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of USAA Insurance as subrogee of Andrew R. Brown, our file number C25647, for the sum of Ten Thousand Dollars and No Cents (\$10,000.00), payable to USAA Insurance as subrogee of Andrew R. Brown.

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 Ten Thousand Dollars and No Cents (\$10,000.00), be paid to USAA Insurance as subrogee of Andrew R. Brown.

In Council, Oakland, California, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA