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CITY OF OAKLAND



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ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
City Attorney

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January 6, 2009

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council

Subject: Resolution Authorizing Settlement of
Claim of Douglas & Michelle Moir
File Number: C26844

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Twenty One Thousand Nine Hundred Thirty Two Dollars and 02/100 Cents (\$21,932.02), payable to Douglas & Michelle Moir, as a result of sewer flood damage to their property on October 10, 2008. 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

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2008 DEC 19 PM 12:31

Approved as to Form and Legality:

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

JAR: end

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF DOUGLAS & MICHELLE MOIR IN THE AMOUNT OF TWENTY ONE THOUSAND NINE HUNDRED THIRTY TWO DOLLARS AND 02/100 CENTS (\$21,932.02), AS A RESULT OF PROPERTY DAMAGE SUSTAINED DUE TO A SEWER FLOOD CAUSED BY A FAILED CITY SEWER MAIN ON OCTOBER 10, 2008. (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Douglas & Michelle Moir, our file number C26844, for the sum of Twenty One Thousand Nine Hundred Thirty Two Dollars and 02/100 Cents (\$21,932.02), payable to Douglas & Michelle Moir.

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 Twenty One Thousand Nine Hundred Thirty Two Dollars and 02/100 Cents (\$21,932.02), payable to Douglas & Michelle Moir.

In Council, Oakland, California, _____, 2008

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