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March 1, 2005

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council

Subject: Resolution Authorizing Settlement of
Claim of Totally Helen, LLC
File Number: C24176

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Fourteen Thousand Four Hundred Forty Seven Dollars and 95 Cents (\$14,447.95), payable to Totally Helen, LLC as a result of flooding caused by a plugged storm drain inlet and poor drainage from City Streets. On December 29, 2003, during a heavy rainstorm water runoff from City streets overflowed onto the Totally Helen, LLC property causing damages. (Public Works Agency) This is not a closed session item.

Respectfully submitted,

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

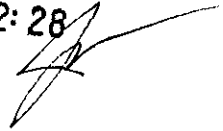
JOHN A. RUSSO
City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____

FILED
OFFICE OF THE CITY CLERK
C.M.S. OAKLAND

2005 FEB -9 PM 12: 28
JAR: END



RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF TOTALLY HELEN, LLC, IN THE AMOUNT OF \$14,447.95, FOR PROPERTY DAMAGE SUSTAINED AS A RESULT OF FLOODING CAUSED BY POOR DRAINAGE FROM A CITY STREET. (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Totally Helen, LLC, our file number C24176, for the sum of Fourteen Thousand Four Hundred Forty Seven Dollars and 95 Cents (\$14,447.95), payable to Totally Helen, LLC.

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 Fourteen Thousand Four Hundred Forty Seven Dollars and 95 Cents (\$14,447.95), be paid to Totally Helen, LLC.

In Council, Oakland, California, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LATONDA SIMMONS,
INTERMIN CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA