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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 Russo  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TTY/TDD: (510) 238-7367

April 6, 2004

HONORABLE CITY COUNCIL  
Oakland, California

President De La Fuente and Members of the City Council:

**Subject: City of Oakland v. West Bay Builders, Inc.  
Alameda County Superior Court Case No. 840197-1  
Our File No: 99034 – Office of Public Works**

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter for Six Hundred Thousand Dollars (\$600,000.00), payable to plaintiff West Bay Builders, Inc. and McInerney & Dillon, their attorneys of record.

This action arises from West Bay Builders, Inc's claims for extra work arising from the construction of the Oakland Animal Shelter.

Respectfully submitted,

A handwritten signature in black ink that reads "Randolph W. Hall for".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Jannie L. Wong

10.7CC  
ORA/COUNCIL

APR 06 2004

RWH

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

JLW:kj

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND v. WEST BAY BUILDERS, INC. SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. 840197-1, IN THE AMOUNT OF \$600,000.00. THIS CASE INVOLVES CLAIMS FOR EXTRA WORK ARISING FROM THE CONSTRUCTION OF THE OAKLAND ANIMAL SHELTER. (OFFICE OF PUBLIC WORKS)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of City of Oakland v. West Bay Builders, Inc., City Attorney's File No. 99034, for the sum of Six Hundred Thousand Dollars (\$600,000.00), payable to plaintiff West Bay Builders, Inc. and McInerney & Dillon, their attorneys of record.

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

**FURTHER RESOLVED:** That the sum of to Six Hundred Thousand Dollars (\$600,000.00), be made payable to plaintiff West Bay Builders, Inc. and McInerney & Dillon, their attorneys of record.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2004

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California

10.700

**CITY COUNCIL**

**APR 06 2004**