

OAKLAND CITY COUNCIL

Blaber

RESOLUTION NO. 78654 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STATE OF CALIFORNIA v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 719712-5, BY ENTERING INTO A MODIFIED JUDGMENT RELEASING THE CITY FROM FURTHER RIPARIAN VEGETATION REPLACEMENT REQUIREMENTS IN EXCHANGE FOR A PAYMENT OF TWENTY THOUSAND DOLLARS (\$20,000.00) TO THE BUTTERS LAND TRUST.

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of State of California v. City of Oakland, Alameda Superior Court Case No. 719712-5, by entering into a modified judgment that would release the City from further attempts to replace and maintain riparian vegetation in the San Leandro Creek area located in the Lake Chabot golf course and, in lieu thereof, pay the Butters Land Trust the sum of Twenty Thousand Dollars (\$20,000) for alternative creek preservation and restoration.

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 Thousand Dollars and No Cents (\$20,000.00) be paid to the Butters Land Trust.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 6 2004, 2004

PASSED BY THE FOLLOWING VOTE:

- AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE - 8
- NOES- 0
- ABSENT- 0
- ABSTENTION- 0

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