

CITY OF OAKLAND



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

Office of the City Attorney
Barbara J. Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

May 2, 2023

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Claim of Seema Rupani
City Attorney File No. C35008
(Department of Public Works – Failed Storm Drain)**

President Fortunato Bas and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Fifty-Seven Thousand Nine Hundred Fifty-Seven Dollars (\$57,957.00), made payable to Seema Rupani.

This action arises out of a September 1, 2020 incident in which Seema Rupani (“Rupani”) claims that a blockage in the City’s storm drain caused substantial damage to Rupani’s residence. Rupani claims that during periods of heavy rain, the street intersection near Rupani’s residence floods. The storm water spreads onto the sidewalk and eventually floods the basement of the residence.

Without admitting liability, the City has determined to compromise Rupani’s claim in the amount of Fifty-Seven Thousand Nine Hundred Fifty-Seven Dollars (\$57,957.00) which includes the cost of remediating the damage to the basement, encapsulating the basement floors and lower walls with plastic wrapping and installing a pump system to remove standing water and moisture vapor in the basement when the intersection floods.

The City Council authorized settlement of this case in Closed Session on Thursday, April 20, 2023 (moved by Councilmember Dan Kalb and seconded by Councilmember Kevin Jenkins - 7 Ayes, 1 Absent – Councilmember Noel Gallo).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Kevin McLaughlin – Supervising Deputy City Attorney
LLotus Ho – Claims Supervisor