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SEP -1 PM 2:55

CITY OF OAKLAND



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September 22, 2009


HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council

Subject: Resolution Authorizing Settlement of
Claim of Maryanne Byars
File Number: C27064

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Six Thousand Three Hundred Fifty Dollars and 00/100 Cents (\$6,350.00), payable to Maryanne Byars, as a result of sewer flood damage to their commercial property on March 05, 2009. The flooding was caused by a failed City sewer main. (Public Works Agency) This was not a closed session item.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2009 SEP -1 PM 4:00

Resolution No. _____ C.M.S.

JAR: gdh

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF MARYANNE BYARS IN THE AMOUNT OF SIX THOUSAND THREE HUNDRED FIFTY DOLLARS AND 00/100 CENTS (\$6,350.00), AS A RESULT OF PROPERTY DAMAGE SUSTAINED DUE TO A SEWER FLOOD CAUSED BY A FAILED CITY SEWER MAIN ON MARCH 05, 2009. (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Maryanne Byars, our file number C27064, for the sum of Six Thousand Three Hundred Fifty Dollars and 00/100 Cents (\$6,350.00), payable to Maryanne Byars.

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 Six Thousand Three Hundred Fifty Dollars and 00/100 Cents (\$6,350.00), payable to Maryanne Byars.

In Council, Oakland, California, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA