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OAKLAND

CITY OF OAKLAND

09 FEB 18 PM 1:28



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

Office of the City Attorney
John A. Russo
City Attorney

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March 3, 2009

HONORABLE CITY COUNCIL
Oakland, California

President Brunner and Members of the City Council

**Subject: Resolution Authorizing Settlement of
Claim of Frank and Myrtis Davis
File Number: C26959**

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Thirty Six thousand Two Hundred Thirty Seven Dollars and No Cents (\$36,237.00), payable to Frank and Myrtis Davis as a result of sewer flood damage to their home on December 07, 2008. The flooding was caused by a failed City sewer main. This is a closed session item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JOHN A. RUSSO', written over a horizontal line.

JOHN A. RUSSO
City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 19 PM 3:20

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

JAR: GDH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF FRANK AND MYRTIS DAVIS, IN THE AMOUNT OF \$36,237.00, AS A RESULT OF PROPERTY DAMAGE SUSTAINED AS A RESULT OF A FAILED CITY SEWER MAIN ON DECEMBER 07, 2008 (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Frank and Myrtis Davis, our file number C26959, for the sum of Thirty Six thousand Two Hundred Thirty Seven Dollars and No Cents (\$36,237.00), payable to Frank and Myrtis Davis.

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 Thirty Six thousand Two Hundred Thirty Seven Dollars and No Cents (\$36,237.00), be paid to Frank and Myrtis Davis.

In Council, Oakland, California, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

Attest: _____

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