

CITY ATTORNEY'S OFFICE

2022 OCT 20 PM 3: 55

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION NO. 89471 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF IN RE: PG&E CORPORATION AND PACIFIC GAS AND ELECTRIC COMPANY, UNITED STATES BANKRUPTCY COURT, NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION, BANKRUPTCY CASE NO. 19-30088, CITY ATTORNEY FILE NO. FIN-190069 FOR THE AMOUNT OF ONE HUNDRED TWENTY-NINE THOUSAND EIGHT HUNDRED SEVENTY-THREE DOLLARS AND EIGHTY-NINE CENTS (\$129,873.89) PAYABLE TO THE CITY OF OAKLAND (DEPARTMENT OF FINANCE – CLAIM IN BANKRUPTCY COURT)

WHEREAS, on January 29, 2019, PG&E Corporation (“PG&E Corp.”) and Pacific Gas & Electric Company (the “Utility”) (together the “Debtors”) filed Chapter 11 petitions in U.S. Bankruptcy Court for the Northern District of California, San Francisco Division; and

WHEREAS, on October 21, 2019, the City timely filed a general unsecured claim against the Utility (“City Claim”); and

WHEREAS, the City Claim is comprised of several components, including 1) claim for money owed for services that the Department of Transportation and the Oakland Police Department provided to the Utility, 2) claims for unpaid Planning & Building Department permit fees, and 3) contingent claims for indemnity and contribution damages against the Utility arising from the Utility’s alleged negligence and misconduct in six personal injury litigation cases filed against the City and the Utility as co-defendants before the Debtors filed the Chapter 11 petition; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims and the City has determined that a settlement in the amount of \$129,873.89 payable to the City of Oakland is in the best interest of the City; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *In Re: PG&E Corporation and Pacific Gas and Electric Company*, United States Bankruptcy Court, Northern District of California, San Francisco Division, Bankruptcy Case No. 19-30088, City Attorney’s File No. FIN-190069, for the amount of One Hundred Twenty-Nine Thousand Eight Hundred Seventy-Three Dollars and Eighty-Nine Cents (\$129,873.89) payable to the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take steps that may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA, **NOV 1 2022**

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT FORTUNATO BAS - 8
NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:

ASHA REED
City Clerk and Clerk of the Council of the City of
Oakland, California