

CITY OF OAKLAND



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

Office of the City Attorney
Barbara Parker
City Attorney

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

February 6, 2024

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Claim of Seminary Havenscourt LP
City Attorney File No. C34946
(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 Sixty Thousand Eight Hundred Thirty-One Dollars and Twenty-Six Cents (\$60,831.26), payable to Seminary Havenscourt LP (“Seminary”).

Seminary alleges that during heavy rain on October 24, 2021, a storm drain at 66th Avenue and International Boulevard backed up and caused flooding onto the sidewalk and into two apartments and common areas of Seminary’s apartment building. Seminary claims that flooding caused substantial damage to their property.

The City has determined that settlement in the amount of \$60,831.26, without admitting liability and to avoid litigation, is in the City’s best interest.

The City Council authorized settlement of this case in Closed Session on Thursday, January 18, 2024 (moved by Councilmember Kevin Jenkins and seconded by Councilmember Janani Ramachandran -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:
John Burke