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OAKLAND

CITY OF OAKLAND



13 JUL 18 AM 11:57

ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara Parker  
City Attorney

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July 30, 2013

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Claim of Robert Lofgren  
City Attorney File No. C29496 (Public Works Agency – Sewers)**

President Kernighan 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 Thirty Two Thousand Nine Hundred Twenty Nine Dollars and Eighty-Eight Cents (\$32,929.88), payable to Robert Lofgren.

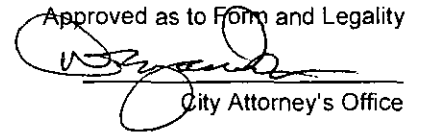
This action arises out of a February 11, 2013 incident in which the City's sanitary sewer main backed up and untreated effluent flooded the property located at 4861 Reinhardt Drive. Settlement of this matter is recommended to avoid the risk of litigation. This matter was heard in closed session on July 30, 2013.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written over a horizontal line.

BARBARA J. PARKER  
City Attorney

1180195

  
City Attorney's Office

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**OAKLAND CITY COUNCIL**

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RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF THE ESTATE OF ROBERT LOFGREN, CITY ATTORNEY'S CLAIM NO. C29496, IN THE AMOUNT OF THIRTY TWO THOUSAND NINE HUNDRED TWENTY NINE DOLLARS AND EIGHTY-EIGHT CENTS (\$32,929.88) (PUBLIC WORKS AGENCY-SEWERS)**

**WHEREAS**, on February 11, 2013, the City's sanitary sewer main backed up and sewage flooded the property located at 4861 Reinhardt Drive, and

**WHEREAS**, the claimant filed the above entitled claim seeking payment for said damages, and

**WHEREAS**, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; now, therefore, be it

**RESOLVED**: That the City Attorney is authorized and directed to settle the claim of Robert Lofgren, our file C29496, for the sum of Thirty Two Thousand Nine Hundred Twenty Nine dollars and Eighty-Eight Cents (\$32,929.88), and be it

**FURTHER RESOLVED**: That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement; and be it

**FURTHER RESOLVED**: That the sum of Thirty Two Thousand Nine Hundred Twenty Nine Dollars and Eighty-Eight Cents (\$32,929.88) be made payable to Robert Lofgren.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN

NOES -  
ABSENT -  
ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the City of  
Oakland, California