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# CITY OF OAKLAND



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November 1, 2016

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Claim of CSAA Insurance Exchange a/s/o Jeanne Foss-Swaine  
City Attorney File # C30480  
(Oakland Police Department – Automobile Collision)**


President Gibson McElhaney 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 Seven Thousand Four Hundred Twenty Dollars and 43/100 Cents (\$7,420.43), made payable to CSAA Insurance Exchange a/s/o Jeanne Foss-Swaine.

This action arises out of a January 17, 2015 incident in which CSAA Insurance Exchange claims property damage to their insured's vehicle as a result of a collision with an OPD vehicle.

The Council authorized settlement of this case in Closed Session on Tuesday, October 18, 2016 (moved by Councilmember Larry Reid and seconded by Councilmember Abel Guillén – 6 Ayes, 2 Absent - Councilmembers Desley Brooks and President Lynette Gibson McElhaney).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
Colin Bowen

  
Oakland City Attorney's Office

FILED  
OFFICE OF THE CLERK  
OAKLAND

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**OAKLAND CITY COUNCIL**  
RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF CSAA INSURANCE EXCHANGE AS SUBROGEE OF (A/S/O) JEANNE FOSS-SWAINE, IN THE AMOUNT OF SEVEN THOUSAND FOUR HUNDRED TWENTY DOLLARS AND 43/100 CENTS (\$7,420.43) AS THE RESULT OF DAMAGES SUSTAINED FROM AN AUTOMOBILE COLLISION ON JANUARY 17, 2015 (OAKLAND POLICE DEPARTMENT - AUTOMOBILE COLLISION)**

**WHEREAS**, claimant alleges that on January 17, 2015, she sustained damages as a result of an automobile collision involving a City vehicle; 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 CSAA Insurance Exchange a/s/o Jeanne Foss-Swaine, our file number C30480, in the amount of Seven Thousand Four Hundred Twenty Dollars and 43/100 Cents (\$7,420.43); and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND  
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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