


17 JAN -5 AM 11:07


City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF *PHILADELPHIA INDEMNITY INSURANCE CO. V. CITY OF OAKLAND*, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15768353, CITY ATTORNEY'S FILE NO. 29681, IN THE AMOUNT OF ONE HUNDRED SIXTY-TWO THOUSAND DOLLARS AND ZERO CENTS (\$162,000.00) (PUBLIC WORKS - INVERSE CONDEMNATION)

WHEREAS, Plaintiff Philadelphia Indemnity Insurance Co. alleges that it sustained monetary damages as a result of a sanitary sewer overflow on November 30, 2012; and

WHEREAS, Plaintiff filed the above-referenced action to recover monetary damages; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff's claims against it for the sum of One Hundred Sixty-Two Thousand Dollars and No Cents (\$162,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Philadelphia Indemnity Insurance Co. v. City of Oakland*, Alameda County Superior Court Case No. RG15768353, City Attorney's File No. 29681, for a sum not to exceed One Hundred Sixty-Two Thousand Dollars and No Cents (\$162,000.00) payable by the City of Oakland; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

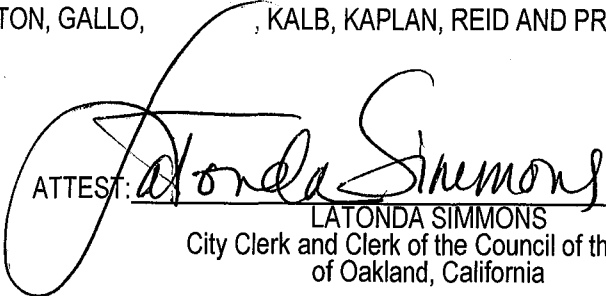
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, KALB, KAPLAN, REID AND PRESIDENT
GIBSON MCELHANEY - 7

NOES - 0

ABSTENTION - 0

JAN 17 2017

ATTEST:


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