

MAY 5, 2022

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, May 5, 2022*

Anticipated Litigation Negotiations

NAME OF ACTION

Claim of Best Instrument Repair and A&G Music / Dick Akright
Claim No. C34483

This matter is listed as **Item No. 2** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$34,055.35**.

This case arose out of an incident occurring on **December 14, 2020**.

FACTS/ISSUES:

On December 14, 2020, 300 gallons of raw sewage backed up into the basement of Best Instrument Repair and A&G Music (“Claimant”) at 564 14th Street in Oakland. The Claimant alleges that a blockage in the City’s sewer caused the back up and resulting damage to a number of musical instruments, accessories, and books.

Claimant filed a government tort claim to seek reimbursement of their damages. At this time, the alleged economic damages total approximately \$34,055.35. The approved settlement resolves all claims with the Claimant in this matter without litigation.

Motion Made by: **Councilmember Reid**

Motion Seconded by: **Vice Mayor Kaplan**

AYES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas= 7

NOES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=

ABSENT: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas= 1

ABSTENTIONS: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=