

ORDINANCE No. **186034**

*Pay claim of Jennifer & John Jennings in the sum of \$15,000 involving the Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Jennifer & John Jennings has filed a property damage claim against the City for damages suffered in a sewer back up involving the Bureau of Transportation on November 19, 2012.
2. The claim has been investigated by Risk Management Services. The investigation indicates there is risk the City may be found liable. Therefore, in order to avoid the risk of an adverse jury award, we feel it is prudent to compromise the claim at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$15,000, subject to the claimant providing the City with a release in a form to be approved by the City Attorney. (\$10,000 has previously been advanced to Jennifer & John Jennings; the balance to be paid under this Ordinance is \$5,000.)

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$5,000 made payable to Jennifer & John Jennings (total settlement is \$15,000).
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

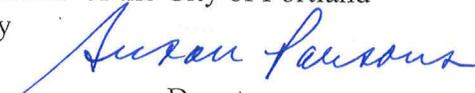
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **MAY 22 2013**

Mayor Charlie Hales
Prepared by John Buehler
Date prepared: April 19, 2013

LaVONNE GRIFFIN-VALDE
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 186034
 Title

* Pay claim of Jennifer & John Jennings in the sum of \$15,000 involving Bureau of Transportation (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>MAY 17 2013</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration <u>JDA</u> Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p style="font-size: 2em; color: blue;">[Signature]</p> <p>By: _____ Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF/Bureau of Internal Business Services/Risk Management OMF CAO: Jack D. Graham Bureau Head: Bryant M. Engle Risk Manager: Kate Wood <u>[Signature]</u></p> <p>Prepared by: John Buehler Date Prepared:</p> <p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date May 22, 2013</p> <p>City Attorney Approval Required for contract, code, easement, franchise, comp plan, charter</p>	
<p>ACTION TAKEN:</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time:</p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	