

## ORDINANCE No. 186309

\*Pay claim of Rodolfo Ortega in the sum of \$36,484 involving the Bureau of Transportation / Maintenance Operations. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Rodolfo Ortega has filed a property damage claim against the City for damages suffered in a sewer backup involving the Bureau of Transportation / Maintenance Operations on April 15, 2013.
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 \$36,484.33, subject to the claimant providing the City with a release in a form to be approved by the City Attorney.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver one check in the amount of \$12,563.93 payable to ServiceMaster of Portland and a second check in the amount of \$18,920.40 made payable to Rodolfo Ortega. (Sum of these two payments is \$31,484.33; combined with \$5,000 already paid, total value of claim settlement is \$36,484.33).
- 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,

**OCT 30 2013**

Mayor Charlie Hales  
Prepared by Randy Stenquist  
Date prepared: October 2, 2013

**LaVONNE GRIFFIN-VALDE**

Auditor of the City of Portland

By



Deputy

Agenda No.  
**ORDINANCE NO. 186309**  
 Title

\*Pay claim of Rodolfo Ortega in the sum of \$36,484 involving the Bureau of Transportation / Maintenance Operations (Ordinance)

<p><b>INTRODUCED BY</b>          Commissioner/Auditor:          Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>OCT 25 2013</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration <i>Hales</i></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>LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i>          Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF Bureau of Internal Business Services</p> <p>OMF CAO: Jack D. Graham <i>[Signature]</i></p> <p>Bureau Head: Bryant M. Engle <i>[Signature]</i></p> <p>Risk Manager: Kate Wood <i>[Signature]</i></p> <p>Prepared by: Randy Stenquist          Date Prepared: October 2, 2013</p> <p>Financial Impact &amp; Public Involvement Statement          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><b>City Auditor Office Approval:</b>          required for Code Ordinances</p> <p><b>City Attorney Approval:</b>          required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>October 30, 2013</b></p>	<p><b>ACTION TAKEN:</b></p>

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