

ORDINANCE No. 185356

*Pay claim of Keith Munn & Anita Munn involving Bureau of Environmental Services.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Keith Munn and Anita Munn have filed property damage claims against the City for damages suffered in a sewer backup on March 2, 2012, involving the Bureau of Environmental Services.
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 their claims at this time.
3. Risk Management Services recommends the claims be compromised for the total sum of \$33,459.66, subject to the claimants providing the City with a release in a form to be approved by the City Attorney. Payments totaling \$10,000 have been previously been paid.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$23,459.66 made payable to Keith Munn & Anita Munn (total settlement amount is \$33,459.66).
- 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 30 2012

Mayor Sam Adams

Prepared by John Buehler

Date prepared: May 8, 2012

LaVONNE GRIFFIN-VALDE

Auditor of the City of Portland

By



Deputy

Agenda No. **185356**
ORDINANCE NO.
 Title

* Pay claim of Keith Munn & Anita Munn involving Bureau of Environmental Services (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>MAY 24 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams	LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz	By: <u>Susan Pearson</u> Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL Bureau: OMF/Risk Management Services Bureau Head: Bryant Enge, Director BIBS <u>KW</u> Kate Wood, Risk Mgr	ACTION TAKEN:
Prepared by: John Buehler Date Prepared:	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date May 30, 2012	
City Attorney Approval	

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

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