

## ORDINANCE No. 188336

\*Pay claim of Espresso Machine Experts, in the sum of \$82,864 involving the Portland Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Espresso Machine Experts has filed a property damage claim against the City for damages suffered in sewer back up on December 7, 2015, involving the Portland Bureau of Transportation.
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 \$82,864.00, subject to the claimant providing the City with a release in a form to be approved by the City Attorney.

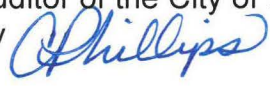
NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$82,864.00 made payable to Espresso Machine Experts.
- 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 property damage claim; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, APR 26 2017

Mayor Ted Wheeler  
Prepared by John Buehler  
Date prepared: March 28, 2017

MARY HULL CABALLERO  
Auditor of the City of Portland  
By   
Deputy

398

✓140

Agenda No.

**ORDINANCE NO. 188336**

Title

\*Pay claim of Espresso Machine Experts, in the sum of \$82,864 involving the Portland Bureau of Transportation (Ordinance)

<b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>APR 18 2017</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Wheeler <i>KD</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>[Signature]</i></u> Deputy
<b>BUREAU APPROVAL</b> Bureau: OMF Bureau of Internal Business Services CAO: Tom Rinehart <i>[Signature]</i> Bureau Head: Bryant M. Enge <i>[Signature]</i> Risk Manager: Kate Wood <i>KW</i> Prepared by: John Buehler Date Prepared: March 28, 2017 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"/> <b>City Auditor Office Approval:</b> required for Code Ordinances <b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter Council Meeting Date April 26, 2017	<b>ACTION TAKEN:</b>

<b>AGENDA</b> <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) <b>CONSENT</b> <input checked="" type="checkbox"/> <i>Pulled</i> <b>REGULAR</b> <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. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	