

ORDINANCE No. 188653

*Pay lawsuit of Melcliff Associates, LLC in the sum of \$6,500 involving Bureau of Environmental Services (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Melcliff Associates, LLC through attorney Davis Galm Law Firm, has filed a property damage lawsuit against the City for damages suffered in a sewer backup involving the Bureau of Environmental Services on December 6, 2015.
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 lawsuit at this time.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$6,500.00, 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 \$6,500 made payable to Davis Galm Law Firm Client Trust Account.
- 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 lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

OCT 25 2017

Passed by the Council,

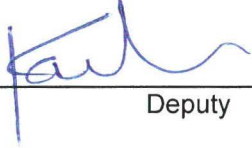
Mayor Ted Wheeler
Prepared by Jessica Kincaid
Date prepared: September 19, 2017

MARY HULL CABALLERO
Auditor of the City of Portland
By


Deputy

Agenda No.
ORDINANCE NO. 188653
 Title

*Pay lawsuit of Melcliff Associates, LLC in the sum of \$6,500 involving the Bureau of Environmental Services. (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>OCT 17 2017</u></p>
<p>COMMISSIONER APPROVAL</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> <p>ACTION TAKEN:</p>
<p>Mayor—Finance and Administration - Wheeler <i>W</i></p>	
<p>Position 1/Utilities - Fritz</p>	
<p>Position 2/Works - Fish</p>	
<p>Position 3/Affairs - Saltzman</p>	
<p>Position 4/Safety - Eudaly</p>	
<p>BUREAU APPROVAL</p>	
<p>Bureau: OMF Bureau of Internal Business Services CAO: Tom Rinehart <i>TR</i> Bureau Head: Bryant M. Enge <i>BME</i> Risk Manager: Kate Wood <i>KW</i></p>	
<p>Prepared by: Jessica Kincaid Date Prepared: September 19, 2017</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>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date: October 25, 2017</p>	

AGENDA

TIME CERTAIN
 Start time: _____
 Total amount of time needed: _____
 (for presentation, testimony and discussion)

CONSENT

REGULAR
 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	_____	_____