

ORDINANCE No. 188654

*Pay claim of Jason Tofel in the sum of \$8,492 involving the Bureau of Environmental Services (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Jason Tofel has filed a property damage claim against the City for damages related to a sewer backup involving the Bureau of Environmental Services on February 26, 2017.
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 \$8,492.43 with the amount of \$3,492.43 still due, 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:

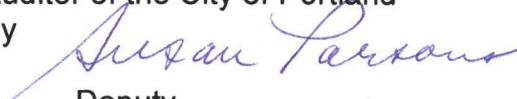
- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$3,492.43 made payable to Jason Tofel.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

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, **OCT 25 2017**

Mayor Ted Wheeler
Prepared by Jessica Kincaid
Date prepared: September 15, 2017

MARY HULL CABALLERO
Auditor of the City of Portland
By


Deputy

Agenda No.

ORDINANCE NO. 188654

Title

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(Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>OCT 17 2017</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler <i>kw</i>	Mary Hull Caballero Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy ACTION TAKEN:
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	
BUREAU APPROVAL 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: Jessica Kincaid Date Prepared: September 15, 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"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date: October 25, 2017	

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	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	_____	