

ORDINANCE No. 188751

\*Pay four claims of VanderHouwen & Associates, Inc. in the sum of \$30,000 involving the Portland Bureau of Environmental Services (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. VanderHouwen & Associates, Inc. has filed four property damage claims against the City for damages suffered in multiple flooding events involving the Portland Bureau of Environmental Services.
2. The claims have 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 claims at this time.
3. Risk Management Services recommends the claims be compromised for the total sum of \$30,000, 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 \$30,000 made payable to VanderHouwen & Associates, Inc.
- 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 claims; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JAN 03 2018

Mayor Ted Wheeler  
Prepared by Jessica Kincaid  
Date prepared: December 5, 2017

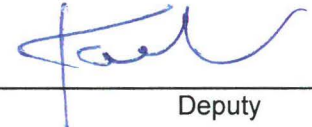
MARY HULL CABALLERO  
Auditor of the City of Portland

By

  
Deputy

Agenda No. **ORDINANCE NO.** 188751  
Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>DEC 26 2017</u>
<b>COMMISSIONER APPROVAL</b>	Mary Hull Caballero Auditor of the City of Portland  By:  Deputy  <b>ACTION TAKEN:</b>
Mayor—Finance and Administration - Wheeler	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	
<b>BUREAU APPROVAL</b>	
Bureau: OMF Bureau of Internal Business Services CAO: Tom Rinehart Bureau Head: Bryant M. Enge Risk Manager: Kate Wood <i>RS foelkw</i>	
Prepared by: Jessica Kincaid Date Prepared: December 5, 2017	
<b>Financial Impact &amp; Public Involvement Statement</b>	
Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>Portland Policy Document</b> 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	
<b>Council Meeting Date:</b> January 3, 2018	

<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"/>
<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 ✓	