

**ORDINANCE No. 188901**

\*Pay property damage claim of CenturyLink in the sum of \$17,323 involving the Portland Water Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. CenturyLink has filed a property damage claim against the City for damages to their underground utility cable involving the Water Bureau on October 19, 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 claim at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$17,323.26 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 \$17,323.26 made payable to CenturyLink.
- 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 25 2018

Mayor Ted Wheeler  
Prepared by Karren Bond  
Date prepared: March 7, 2018

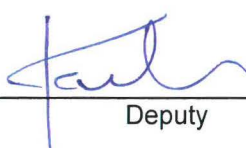
**MARY HULL CABALLERO**  
Auditor of the City of Portland  
By

  
Deputy

Agenda No.  
**ORDINANCE NO.**  
Title

188901

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<b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>APR 17 2018</u>
<b>COMMISSIONER APPROVAL</b>	Mary Hull Caballero Auditor of the City of Portland  By: <u></u> Deputy  <b>ACTION TAKEN:</b>
Mayor—Finance and Administration - Wheeler <i>YC</i>	
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 <i>CR</i> Bureau Head: Bryant M. Enge <i>ME</i> Risk Manager: Kate Wood <i>KW</i>	
Prepared by: Karren Bond Date Prepared: March 7, 2018	
<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> <i>RR</i> required for contract, code, easement, franchise, comp plan, charter	
<b>Council Meeting Date:</b> April 25, 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	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	_____	_____