

## ORDINANCE No. 189188

\* Pay property damage claim of Darla Millstein in the sum of \$24,142 involving the Portland Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Darla Millstein has filed a property damage claim against the City for damages suffered in a sewer backup involving the Portland Bureau of Transportation on Sunday, April 8, 2018.
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 \$24,142.70 with \$19,142.70 still due, subject to the claimant providing the City with a release in a form to be approved by the City Attorney.

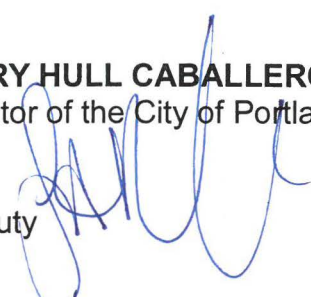
NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$19,142.70 made payable to Darla Millstein.
- 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 03 2018

Mayor Ted Wheeler  
Prepared by Jessica Bird  
Date prepared: August 27, 2018

MARY HULL CABALLERO  
Auditor of the City of Portland  
By   
Deputy

Agenda No.  
**ORDINANCE NO. 189188**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b>                  Commissioner/Auditor:                  Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>SEP 25 2018</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler <i>MP</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 style="text-align: center;">Mary Hull Caballero                  Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u>                  Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF</p> <p>CAO: Tom Rinehart <i>[Signature]</i></p> <p>Bureau Head: Jennifer Cooperman <i>[Signature]</i></p> <p>Interim Manager:                  Debora Leopold-Hutchins <i>dlh 9/7/2018</i></p> <p>Prepared by: Jessica Bird                  Date Prepared: August 27, 2018</p>	<p><b>ACTION TAKEN:</b></p>
<p><b>Financial Impact &amp; Public Involvement Statement</b></p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p><b>Portland Policy Document</b></p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b>                  required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b>                  required for contract, code, easement, franchise, comp plan, charter</p>	
<p><b>Council Meeting Date:</b>                  Wednesday, October 3, 2018</p>	

<p style="text-align: center;"><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____                  (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____                  (for presentation, testimony and discussion)</p>

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	✓	