

ORDINANCE No. 189260

* Pay property damage claim of Brian Foresta in the sum of \$16,500 involving the Portland Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Brian Foresta has filed a property damage claim against the City for damages suffered in a sewer backup involving the Portland Bureau of Transportation on September 20, 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 \$16,500.75, 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 \$16,500.75 made payable to Brian Foresta.
- 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,

NOV 28 2018

Mayor Ted Wheeler
Prepared by Jessica Bird
Date prepared: October 22, 2018

MARY HULL CABALLERO
Auditor of the City of Portland
By 
Deputy

1209
Agenda No.
ORDINANCE NO. 189260
Title

* Pay property damage claim of Brian Foresta in the sum of \$16,500 involving the Portland Bureau of Transportation (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>NOV 19 2018</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & 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: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</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>[Signature]</i></p> <p>Prepared by: Jessica Bird</p> <p>Date Prepared: October 22, 2018</p>	<p>ACTION TAKEN:</p>
<p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>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: Wednesday, November 28, 2018</p>	

<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input checked="" type="checkbox"/></p> <p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="3">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	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	✓	
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