

Agenda No. 330

ORDINANCE NO. 190395

*Pay property damage claim of Heidi Waltermire and Michael Branes in the sum of \$12,711 involving the Portland Bureau of Environmental Services (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Heidi Waltermire and Michael Barnes, through their attorney Taylor Duty, have filed a claim against the City for damages resulting from a sewer backup incident involving the Portland Bureau of Environmental Services on December 28, 2020.
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 \$12,711.11 with the amount of \$2,711.11 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 \$1,355.56 made payable to Heidi Waltermire.

Introduced by

Mayor Ted Wheeler

Bureau

Management and
Finance
Revenue and Financial
Services
Risk Management

Prepared by

Jessica Bird

Date Prepared

April 19, 2021

Requested Council Date

May 12, 2021

Requested Agenda Type

Consent

Date Filed with Clerk

May 4, 2021

- B. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$1,355.55 made payable to Michael Branes.
- C. 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 Council: May 12, 2021

MARY HULL CABALLERO

Auditor of the City of Portland

Action Taken:

By *Megan Lehman*
Deputy

Commissioners voted as follows (Yea or Nay)

Rubio - Yea

Ryan - Yea

Hardesty - Yea

Mapps - Yea

Wheeler - Yea