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190709

Emergency Ordinance

***Pay settlement of Mark Melman's property damage claims for the sum of \$26,264 involving the Portland Bureau of Transportation**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Mark Melman filed two property damage claims against the City for damages to his property resulting from a flooding incident involving the Portland Bureau of Transportation on January 14, 2021 and September 26, 2021.
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 settled for the total sum of \$26,264, with the amount of \$21,264.00 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 \$21,264 made payable to PLI Systems, 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 these property damage claims; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance;](#)
[Revenue and Financial](#)
[Services; Risk Management](#)

Prepared by

Joseph Jesse

Date Prepared

January 28, 2022

Requested Agenda Type

Consent

Date and Time Information


Requested Council Date

February 23, 2022

Passed by Council
February 23, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

 [Impact Statement](#) (128.25 Kb)

Budget Office Financial Impact Analysis

Total cost to the City to settle the claims is \$26,264. The source of funding is the City's Insurance and Claims Fund. All costs of the settlement are in the current fiscal year.

Agenda Items

123 Consent Agenda in [February 23-24, 2022 Council Agenda](#)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea