

8.8  
**ORDINANCE No. 183547**

\*Pay claim of Portland State University. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland State University has filed a property damage claim against the City for damages suffered in a sewer backup involving the BES on October 21, 2008.
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 \$50,000.00, 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 \$50,000.00 made payable to Portland State University.
- 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 claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, FEB 17 2010

Mayor Sam Adams  
Prepared by John W. Buehler  
Date prepared: February 2, 2010

**LaVONNE GRIFFIN-VALDE**  
Auditor of the City of Portland

By



Deputy

Agenda No. **183547**  
**ORDINANCE NO.**  
 Title

\* Pay claim of Portland State University (Ordinance)

<p><b>INTRODUCED BY</b>                  Commissioner/Auditor:                  Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>FEB 11 2010</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams <i>AS</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade                  Auditor of the City of Portland</p> <p>By: <u><i>LaVonne</i></u> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau:                  OMF/Risk Management Services <i>3</i>                  Bureau Head: Jeff Baer, Director BIBS  <i>cu</i> Kate Wood, Risk Mgr <i>AW</i></p> <p>Prepared by: John Buehler                  Date Prepared: February 2, 2010</p> <p>Financial Impact Statement  <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget  <input type="checkbox"/> Not Required</p> <p>Portland Policy Document                  If "Yes" requires City Policy paragraph stated                  in document. . Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date                  February 17, 2010</p> <p><b>City Attorney Approval</b></p>	
<p><b>ACTION TAKEN:</b></p>	

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

	COMMISSIONERS VOTED AS FOLLOWS:		
FOUR-FIFTHS AGENDA		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	—	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	