

ORDINANCE No. 183590

*Pay claim of ADS Investment, LLC. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. ADS Investment, LLC has filed a property damage claim against the City for damages suffered in a sewer back-up involving the Bureau of Environmental Services on or about October 6, 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 \$13,096.41, 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 \$13,096.41 made payable to ADS Investment, LLC.
- 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, **MAR 10 2010**

Mayor Sam Adams
Prepared by Randy Stenquist
Date prepared: February 17, 2010

LaVONNE GRIFFIN-VALDE

Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 183590

Title

* Pay claim of ADS Investment, LLC (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>MAR 05 2010</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy
BUREAU APPROVAL Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BIBS Kate Wood, Risk Mgr	ACTION TAKEN:
Prepared by: Randy Stenquist Date Prepared: February 17, 2010	
Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Council Meeting Date March 10, 2010	
City Attorney Approval	

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

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