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184463

**ORDINANCE No. 184463**

\*Pay claim of Irena Grant, involving Water Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Irena Grant has filed a property damage and bodily injury lawsuit against the City for damages suffered from house foundation and sidewalk damage resulting from a water line leak that occurred in April, 2006, involving the Water Bureau.
2. The claim has been investigated by Risk Management Services and the City Attorney's Office. 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 lawsuit at this time.
3. Risk Management Services and the City Attorney's Office recommend the lawsuit be compromised for the total sum of \$64,000, 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 \$64,000 made payable to Irena Grant and Mark McClanahan, her attorney.
- 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 lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **MAR 16 2011**

Mayor Sam Adams

Prepared by John Buehler  
Date prepared: February 23, 2011

**LaVONNE GRIFFIN-VALDE**

Auditor of the City of Portland

By

*Susan Parsons*

Deputy

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Agenda No.  
**ORDINANCE NO.**  
Title

184463

\* Pay Claim of Irena Grant, involving Water Bureau (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>MAR 11 2011</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</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>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>[Signature]</u> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BIBS <u>[Signature]</u> Kate Wood, Risk Mgr</p>	<p><b>ACTION TAKEN:</b></p>
<p>Prepared by: John Buehler Date Prepared: February 28, 2011</p>	
<p>Financial Impact Statement <u>X</u> Completed ___ Amends Budget ___ Not Required</p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. ___ Yes <u>X</u> No</p>	
<p>Council Meeting Date March 16, 2011</p>	
<p><b>City Attorney Approval</b></p>	

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

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	✓	