

ORDINANCE No.

186164

*Pay claim of Terry Kotz in the sum of \$26,599 involving Bureau of Environmental Services.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Terry Kotz has filed a property damage claim against the City for damages suffered in a leakage from a City sewer line that occurred on March 1, 2012, involving the Bureau of Environmental Services.
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 \$26,599, subject to the claimant providing the City with a release in a form to be approved by the City Attorney. (Risk Management has advanced \$5,000 of this amount to Mr. Kotz, so the total additional being paid by this Ordinance is \$21,599).

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$21,599 made payable to Terry Kotz (total settlement amount is \$26,599; less the \$5,000 previously advanced by Risk Management).
- 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, JUL 24 2013

Mayor Charlie Hales
Prepared by John Buehler
Date prepared: June 24, 2013

LaVONNE GRIFFIN-VALDE

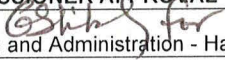
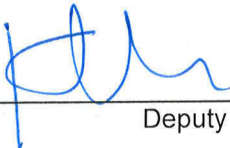

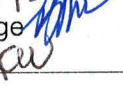
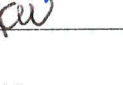
Auditor of the City of Portland
By


Deputy

Agenda No.
ORDINANCE NO.
 Title

186164

*Pay claim of Terry Kotz in the sum of \$26,599 involving Bureau of Environmental Services. (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED <u>JUL 19 2013</u>
COMMISSIONER APPROVAL  Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: OMF Bureau of Internal Business Services OMF CAO: Jack D. Graham  Bureau Head: Bryant M. Engle  Risk Manager: Kate Wood  Prepared by: John Buehler Date Prepared: June 24, 2013 Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document if "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter Council Meeting Date July 24, 2013	ACTION TAKEN:

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	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	