

**ORDINANCE No. 187232**

\*Pay claim of Peter Bach in the sum of \$16,526 involving Portland Bureau of Transportation.  
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Peter Bach has filed a property damage claim against the City for damages suffered in a sewer backup on March 26, 2015 involving the Portland Bureau of Transportation (Maintenance).
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 \$16,526.30, subject to the claimant providing the City with a release in a form to be approved by the City Attorney. Risk Management has advanced the sum of \$5,000 to the claimant, so the total check amount to be paid by this Ordinance is \$11,526.30.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$11,526.30 made payable to Peter Bach. (Total payment, including \$5,000 advance previously paid, is \$16,526.30).
- 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 01 2015

Mayor Charlie Hales  
Prepared by John Buehler  
Date prepared: April 30, 2015

MARY HULL CABALLERO  
Auditor of the City of Portland

By *Gayla Jennings*  
Deputy

Agenda No. **187 232**  
**ORDINANCE NO.**  
Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>JUN 26 2015</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration—Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF Bureau of Internal Business Services CAO: Fred Miller Bureau Head: Bryant M. Engle Risk Manager: Kate Wood</p> <p>Prepared by: John Buehler Date Prepared: May 28, 2015</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></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><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>July 1, 2015</b></p>	
<p><b>ACTION TAKEN:</b></p>	

**AGENDA**

**TIME CERTAIN**   
**Start time:**

**Total amount of time needed:**  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**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. Novick	4. Novick	✓	
Hales	Hales	✓	