

ORDINANCE No. 187458

* Waive bond requirement of Code Section 5.08.160 D to allow City to pay accrued leave to spouse of deceased employee (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Code Section 5.08.160 sets forth the procedures for delivery of checks payable to deceased persons. Subsection D of that Section provides that before a check may be delivered to an heir or next of kin who lives out of state, the heir or next of kin must sign a hold harmless agreement and post a bond to defend and indemnify the City, its officers, agents and employees against any claim, suit, action or judgment arising out of the delivery or payment of the checks.
2. Susan Ashenfelter, an employee of the Bureau of Development Services, died October 15, 2015. Upon her death, Ms. Ashenfelter was entitled to accrued leave in the amount of \$709.52.
3. Ms. Ashenfelter's spouse resides in the state of Washington. Under City Code, the spouse is required to sign a hold harmless agreement and post a bond to receive the check payable to Ms. Ashenfelter. Ms. Ashenfelter's spouse has already signed a hold harmless agreement.
4. It is desirable to deliver the check for accrued leave to Ms. Ashenfelter's spouse without the time and expense in obtaining a bond.

NOW, THEREFORE, the Council directs:

- a. The requirement of Portland City Code Section 5.08.160 D for a bond shall be waived to allow the City to pay accrued leave to Ms. Ashenfelter's spouse without receiving a bond from the spouse.

Section 2. The Council declares that an emergency exists because delay in delivery of the check to the deceased employee's spouse would create financial hardship; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council:

Auditor Hull Caballero

Prepared by: G. Jennings

Date Prepared: November 12, 2015

NOV 25 2015

Mary Hull Caballero

Auditor of the City of Portland

By

Gayla Jennings

Deputy

1218 -
Agenda No.
ORDINANCE NO.

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Title

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<p><i>Mary Hull Caballero</i> INTRODUCED BY Commissioner/Auditor: Auditor Hull Caballero</p> <p>COMMISSIONER APPROVAL</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>BUREAU APPROVAL</p> <p>Bureau: Council Clerk / Contracts Division Bureau Head: T. Anderson <i>[Signature]</i></p> <p>Prepared by: G. Jennings Date Prepared: 11/12/2015</p> <p>Impact 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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date 11/25/2015</p>	<p>CLERK USE: DATE FILED <u>NOV 17 2015</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input checked="" type="checkbox"/></p> <p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="3">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Novick</td> <td>4. Novick</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Hales</td> <td>Hales</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	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	✓	
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