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190533

Emergency Ordinance

***Pay settlement of Paul Schlesinger and Janis Rosenfeld property damage claims for the sum of \$252,400 involving the Portland Water Bureau**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Paul Schlesinger and Janis Rosenfeld have filed property damage claims against the City for damages to their property resulting from a water main break involving the Portland Water Bureau on December 15, 2020.
2. The claims have 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 these claims at this time.
3. Risk Management Services recommends the claims be compromised for the total sum of \$252,400 with the amount of \$242,400 still due, 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 two checks. First check in the amount of \$121,200 made payable to Paul Schlesinger and second check in the amount of \$121,200 payable to Janis Rosenfeld.
- 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 these property damage claims; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance](#)

[Revenue and Financial Services](#)

[Risk Management](#)

Prepared by

Jessica Bird

Date Prepared

July 30, 2021

Requested Agenda Type

Consent

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
August 18, 2021

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

 [Impact Statement](#) (128.1 Kb)

Budget Office Financial Impact Analysis

Total cost to the City to settle the claim is \$252,400. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

Agenda Items

634 Consent Agenda in [August 18, 2021 Council Agenda](#)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

General information

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 [711](#) Oregon Relay Service

City of Portland, Oregon

