

ORDINANCE No. 185843

*Pay claim of Lesley Barnes involving Portland Fire Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Lesley Barnes, through her attorney Jeffrey Bowersox has filed a bodily injury lawsuit against the City for damages suffered in an automobile collision involving the Fire Bureau on December 17, 2009.
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 Lawsuit at this time.
3. Risk Management Services recommends the Lawsuit be compromised for the sum of \$4,000 in addition to payments previously made to Ms. Barnes' insurer State Farm 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 \$4000 made payable to Lesley Barnes and Bowersox Law Firm, P.C.
- 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,

JAN 02 2013

Mayor Sam Adams

Prepared by Becky Chiao

Date prepared: December 10, 2012

LaVONNE GRIFFIN-VALDE

Auditor of the City of Portland

By



Deputy

Agenda No. 185843
ORDINANCE NO.
Title

Portland

* Pay claim of Lesley Barnes involving Fire Bureau (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>DEC 27 2012</u>
COMMISSIONER APPROVAL	<i>on behalf of Mayor Adams</i> LaVonne Griffin-Valade Auditor of the City of Portland <i>Ketz Posada</i> By: _____ Deputy ACTION TAKEN:
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL	
Bureau: OMF/Bureau of Internal Business Services/Risk Management OMF CAO: Jack D. Graham <i>JG</i> Bureau Head: Bryant M. Engle Risk Manager: Kate Wood <i>KW</i>	
Prepared by: Becky Chiao Date Prepared: 12/12/2012	
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"/>	
Council Meeting Date 1/2/2013	
City Attorney Approval Required for contract, code, easement, franchise, comp plan, charter	

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	<u>1. Fritz</u>	<u> </u>
2. Fish	✓	
3. Saltzman	✓	
4. I	✓	
	Hales	✓