

**ORDINANCE No. 188028**

\*Pay claim of Teri Briggs in the sum of \$35,000 involving the Water Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Teri Briggs, through her attorney Rick Klingbeil, has filed a bodily injury lawsuit against the City for damages suffered when she fell off her bicycle on August 22, 2013. The complaint alleges that the cause of the fall was uneven pavement around a Water Bureau manhole cover in the road.
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 total sum of \$35,000.00, 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 \$35,000.00 made payable to Teri Briggs and Rick Klingbeil, PC.
- 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,

**OCT 12 2016**

Mayor Charlie Hales  
Prepared by Becky Chiao  
Date prepared: September 22, 2016

**MARY HULL CABALLERO**

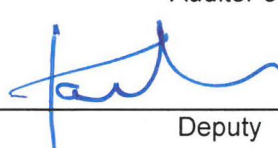
Auditor of the City of Portland

By

  
Deputy

Agenda No.  
**ORDINANCE NO. 188028**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b>                  Commissioner/Auditor:                  Mayor Charlie Hales</p>	<p style="text-align: right;">CLERK USE: DATE FILED <u>OCT 04 2016</u></p>
<p style="text-align: center;"><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 style="text-align: center;">Mary Hull Caballero                  Auditor of the City of Portland</p> <p>By:  _____                  Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF Bureau of Internal Business Services                  CAO: Fred Miller <i>KLR for FM</i>                  Bureau Head: Bryant M. Enge <i>BMC</i>                  Risk Manager: Kate Wood <i>KW</i></p> <p>Prepared by: Becky Chiao                  Date Prepared: September 28, 2016</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>October 12, 2016</b></p>	<p><b>ACTION TAKEN:</b></p>

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p><b>Start time:</b></p> <p><b>Total amount of time needed:</b>                  (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p><b>Total amount of time needed:</b>                  (for presentation, testimony and discussion)</p>

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	✓	