

ORDINANCE No. 188507

*Pay lawsuit of Trevor Irish in the sum of \$46,000 involving the Bureau of Environmental Services (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Trevor Irish, through attorney Cynthia Newton, has filed a bodily injury lawsuit against the City for damages suffered in a vehicle collision involving the Bureau of Environmental Services on October 14, 2015.
2. The lawsuit has been investigated by Risk Management. 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 \$46,000, 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 \$46,000 made payable to The TCNF Client Trust Account fbo Trevor Irish.
- 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 Bodily Injury lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUL 12 2017

Mayor Ted Wheeler
Prepared by Jessica Kincaid
Date prepared: June 8, 2017

MARY HULL CABALLERO
Auditor of the City of Portland

By *Gayla Jennings*
Deputy

793

140

Agenda No. **ORDINANCE NO. 188507**
Title

*Pay lawsuit of Trevor Irish in the sum of \$46,000 involving the Bureau of Environmental Services.
(Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>JUL 03 2017</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler <i>KD</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland <i>[Signature]</i> By: _____ Deputy
BUREAU APPROVAL Bureau: OMF Bureau of Internal Business Services CAO: Tom Rinehart <i>[Signature]</i> Bureau Head: Bryant M. Enge <i>[Signature]</i> Risk Manager: Kate Wood <i>[Signature]</i> Prepared by: Jessica Kincaid Date Prepared: June 8, 2017	ACTION TAKEN:
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"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date: July 12, 2017	

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	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	<input checked="" type="checkbox"/>	
4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	<input checked="" type="checkbox"/>	