

**ORDINANCE No. 188540**

\*Pay lawsuit of Jeffrey Gaede in the sum of \$15,000 involving Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Jeffrey Gaede, through attorney Michael Tooley, has filed a bodily injury lawsuit against the City for damages suffered in an accident involving the Bureau of Transportation on March 26, 2016.
2. The underlying 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 \$15,000 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 \$15,000 made payable to Law Office of Grant Wenzlick in Trust of Jeffrey Gaede.
- 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, **AUG 09 2017**

Mayor Ted Wheeler  
Prepared by Jessica Kincaid  
Date prepared: July 14, 2017

**MARY HULL CABALLERO**  
Auditor of the City of Portland

By

  
Deputy

Agenda No.  
**ORDINANCE NO. 188540**  
 Title

**\*Pay lawsuit of Jeffrey Gaede in the sum of \$15,000.00 involving the Bureau of Transportation. (Ordinance)**

<b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>AUG 01 2017</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Wheeler <i>bc</i>	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>[Signature]</i></u> Deputy  <b>ACTION TAKEN:</b>
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	
<b>BUREAU APPROVAL</b> 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: July 14, 2017	
<b>Financial Impact &amp; Public Involvement Statement</b>  Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>Portland Policy Document</b> If Yes requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter	
<b>Council Meeting Date:</b> August 9, 2017	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	✓	