

ORDINANCE No.

188670

*Pay claim of Marcia Gesner in the sum of \$30,000 involving Portland Fire and Rescue (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Marcia Gesner, through GLP Attorneys, PLLC, has filed a bodily injury claim against the City for injuries sustained in an auto incident involving Portland Fire and Rescue on February 3, 2015.
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 claim at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$30,000 (\$5,000 of which has been previously paid) 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 \$25,000 made payable to GLP Attorneys, PLLC, in Trust for Marcia Gesner
- 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 claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

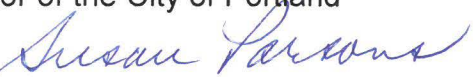
Passed by the Council, NOV 08 2017

Mayor Ted Wheeler
Prepared by Jessica Kincaid
Date prepared: September 25, 2017

MARY HULL CABALLERO
Auditor of the City of Portland

By

Deputy



Agenda No.
ORDINANCE NO. 188670
Title

*Pay claim of Marcia Gesner in the sum of \$30,000 involving Portland Fire and Rescue.
(Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>OCT 31 2017</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Wheeler <i>KC</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p align="center">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services</p> <p>CAO: Tom Rinehart <i>TR</i></p> <p>Bureau Head: Bryant M. Enge <i>ME</i></p> <p>Risk Manager: Kate Wood <i>KW</i></p>	
<p>Prepared by: Jessica Kincaid</p> <p>Date Prepared: September 25, 2017</p>	
<p>Financial Impact & Public Involvement Statement</p> <p>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>City Auditor Office Approval: required for Code Ordinances</p>	<p>ACTION TAKEN:</p>
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date: November 8, 2017</p>	

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

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"/>	