

ORDINANCE No. 189009

*Pay claims of James Nelson in the sum of \$70,000 involving the Portland Water Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. James Nelson has filed workers' compensation claims with the City of Portland starting 1998 through 2017, involving the Portland Water Bureau.
2. The workers' compensation claims have 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 claims at this time.
3. Risk Management Services recommends the workers' compensation claims be compromised for the total sum of \$70,000, 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 \$60,000 made payable to Law offices of James Guinn.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.
- c. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$10,000 made payable to James Nelson.
- d. Portland Water Bureau will execute a payment authorization in the amount set forth in sub-paragraph (c) above.

Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this Lost Time/Indemnity ; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

189009

Passed by the Council,

JUN 13 2018

Mayor Ted Wheeler

Prepared by Viki Bisby

Date prepared: May 3, 2018

MARY HULL CABALLERO

Auditor of the City of Portland

By

Deputy

Agenda No.
ORDINANCE NO. 189009
 Title

*Pay claims of James Nelson in the sum of \$70,000 involving the Portland Water Bureau (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>JUN 06 2018</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>KE</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>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</p> <p>CAO: Tom Rinehart <i>[Signature]</i></p> <p>Bureau Head: Jennifer Cooperman <i>[Signature]</i></p> <p>Risk Manager: Kate Wood <i>[Signature]</i></p> <p>Prepared by: Viki Bisby Date Prepared: May 3, 2018</p>	<p>ACTION TAKEN:</p>
<p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date: June 13, 2018</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	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	