

ORDINANCE No.

189383

* Pay bodily injury claim of Jose Moreno Cruz in the sum of \$18,127 resulting from a vehicle collision involving the Portland Police Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Jose Moreno Cruz, through attorney George G. Curtis, has filed a bodily injury claim against the City for damages suffered in a motor vehicle collision involving the Portland Police Bureau on October 18, 2017.
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 \$18,127.78, 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 two checks in following amounts:
 - i) one in the amount of \$10,000 made payable to Zbinden and Curtis Trust Account, and
 - ii) one in the amount of \$8,127.78 made payable to American Family Mutual Insurance Company S.I.
- b. Risk Management Services will execute payment authorizations in the amounts 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, FEB 13 2019

Mayor Ted Wheeler
Prepared by Becky Chiao
Date prepared: January 11, 2019

MARY HULL CABALLERO
Auditor of the City of Portland

By 
Deputy

Agenda No. _____

Item Type: Ordinance No. 189383

Council Meeting Date: February 13, 2019

Title: * Pay bodily injury claim of Jose Moreno Cruz in the sum of \$18,127 resulting from a vehicle collision involving the Portland Police Bureau (Ordinance)

AGENDA TYPE

[X] CONSENT [] REGULAR [] TIME CERTAIN Start Time: Item of Total amount of time needed for presentation, testimony and discussion (Regular and Time Certain): 10 Minutes

INTRODUCED BY:

COMMISSIONER / AUDITOR APPROVAL Mayor - Finance & Administration - Wheeler Position 1/ Utilities - Fritz Position 2/ Works - Fish Position 3/ Affairs - Hardesty Position 4/ Safety - Eudaly City Auditor - Hull Caballero

[Signature]

BUREAU APPROVALS Bureau: OMF/CAO OMF/CAO: Tom Rinehart Bureau Approval: Patrick Hughes

Prepared By: Becky Chiao Date Prepared: January 11, 2019

1) Is a completed Impact Statement attached? Yes [X] 3) Is the item a Code ordinance? Yes [] No [X] 5a) Is item a Portland Policy Document or Administrative Rule? Yes [] No [X]

2) Does the item amend the budget? Yes [] No [X] 4) Is this item a contract, code, easement, franchise, comp plan or Charter? Yes [] No [X] 5b) If yes, is the City Policy/Admin Rule directive in the ordinance or resolution? Yes []

ACTION TAKEN:

CLERK USE: DATE FILED FEB 05 2019 Mary Hull Caballero Auditor of the City of Portland By: [Signature] Deputy

Table with columns: FOUR-FIFTHS AGENDA, COMMISSIONERS VOTED AS FOLLOWS: YEAS, NAYS. Rows include Fritz, Fish, Hardesty, Eudaly, Wheeler.