

ORDINANCE No. 189538

* Pay bodily injury claim of David Merklin in the sum of \$30,000 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. David Merklin, through attorney Nedu Nweze, has filed a claim against the City for injuries suffered in a motor vehicle collision involving the Portland Police Bureau on September 20, 2018.
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, 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 \$30,000 made payable to Warren & Sugarman.
- 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, JUN 05 2019

Mayor Ted Wheeler
Prepared by Karren Bond
Date prepared: April 26, 2019

MARY HULL CABALLERO
Auditor of the City of Portland
By 
Deputy

Title: * Pay bodily injury claim of David Merklin in the sum of \$30,000 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance)

AGENDA TYPE

Consent

Regular

Time Certain Start Time

Item 1 of 1

Total amount of time needed for presentation, testimony and discussion (Regular and Time Certain Only): N/A (Consent)

INTRODUCED BY: Mayor Wheeler

COMMISSIONER / AUDITOR APPROVAL

Mayor - Finance & Admin. - Wheeler Michelle Plambeck Digitally signed by Michelle Plambeck Date: 2019.05.28 12:59:22 -0700

Position 1/ Utilities - Fritz

Position 2/ Works - Fish

Position 3/ Affairs - Hardesty

Position 4/ Safety - Eudaly

City Auditor - Hull Caballero

BUREAU APPROVALS

Bureau: OMF/CAO

OMF/CAO: Tom Rinehart Digitally signed by Tom Rinehart Date: 2019.05.06 10:38:45 -0700

Bureau Approval: Jennifer Cooperman Digitally signed by Jennifer Cooperman Date: 2019.05.02 14:56:45 -0700

Prepared By: Karren Bond

Date Prepared: April 26, 2019

1) Is a completed Impact Statement attached? Yes

2) Does the item amend the budget? Yes No
 If yes, **Budget Office** Approval

3) Is the item a Code ordinance? Yes No

4) Is this item a contract (current or future), code, easement, franchise, comp plan or Charter? Yes No
 If yes, **Attorney Office** Approval

If yes, **Auditor Office** Approval

5a) Is item a Portland Policy Document or Administrative Rule? Yes No

5b) If yes, is the City Policy/Admin Rule directive in the ordinance or resolution? Yes No

ACTION TAKEN:

CLERK USE: DATE FILED 5/28/19

Mary Hull Caballero
Auditor of the City of Portland

By: Karla Moore-Love Digitally signed by Karla Moore-Love Date: 2019.05.28 13:56:25 -0700
 Deputy

FOUR-FIFTHS AGENDA

- 1. Fritz
- 2. Fish
- 3. Hardesty
- 4. Eudaly
- Wheeler

COMMISSIONERS VOTED AS FOLLOWS:

	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Hardesty	✓	
4. Eudaly	✓	
Wheeler	✓	