

**ORDINANCE No. 189566**

\* Pay settlement of personal injury lawsuit of Randi Jones as guardian ad litem for Brandy Tuchscherer in the sum of \$40,000 involving Portland Fire & Rescue (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Randi Jones, guardian ad litem for Brandy Tuchscherer, through attorney Daniel Snyder, has filed a personal injury lawsuit against the City for damages related to interactions with Portland Fire & Rescue.
2. The lawsuit claims have been investigated by Risk Management. 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 and the City Attorney's Office recommend the lawsuit be compromised for the total sum of \$40,000, 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 \$40,000 made payable to the Law Offices of Daniel Snyder.
- 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 personal injury lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUN 19 2019

Mayor Ted Wheeler  
Prepared by Becky Chiao  
Date prepared: May 13, 2019

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

Agenda No. \_\_\_\_\_  
 Item Type: Ordinance No. 189566  
 Council Meeting Date: June 19, 2019

Title: \* Pay settlement of personal injury lawsuit of Randi Jones as guardian ad litem for Brandy Tuchscherer in the sum of \$40,000 involving Portland Fire & Rescue (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 Digitally signed by Mustafa Washington  
Date: 2019.06.11 11:54:41 -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: 2019.05.23 10:52:22 -0700  
 Bureau Approval: Jennifer Cooperman Digitally signed by Jennifer Cooperman  
Date: 2019.05.22 15:00:02 -0700

Prepared By: Becky Chiao  
 Date Prepared: May 13, 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 JUN 11 2019

Mary Hull Caballero  
 Auditor of the City of Portland

By:   
 Deputy

**FOUR-FIFTHS AGENDA**

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

**COMMISSIONERS VOTED AS FOLLOWS:**

	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Fish	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Hardesty	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Eudaly	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wheeler	<input checked="" type="checkbox"/>	<input type="checkbox"/>