

**ORDINANCE No. 189683**

\* Pay bodily injury lawsuit of Don Perkins in the sum of \$60,000 involving the Portland Police Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Don Perkins, through attorney Gretchen Mandekor, has filed a lawsuit for injuries suffered during an encounter with Portland Police officers on February 9, 2017.
2. The lawsuit has been investigated by Risk Management Services and the City Attorney's office. 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 Services recommends the lawsuit be compromised for the total sum of \$60,000, 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 \$58,000 made payable to Rosenbaum Law Group, P.C. Risk Management Services has already paid \$2,000 to Mr. Perkins as an advance on this settlement.
- 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 lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, SEP 04 2019

Mayor Ted Wheeler  
Prepared by Randy Stenquist  
Date prepared: August 5, 2019

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

Agenda No. **834**  
 Item Type: Ordinance No. **189683**  
 Council Meeting Date: September 4, 2019

Title: \* Pay bodily injury lawsuit of Don Perkins in the sum of \$60,000 involving the Portland Police Bureau (Ordinance)

**Consent** *Pulled*  
 **Regular**  
 **Time Certain** Start Time

**AGENDA TYPE**

Item <sup>1</sup> 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: 2019.08.27 11:51:25 -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: Carmen Merlo Digitally signed by Carmen Merlo  
Date: 2019.08.06 15:24:50 -0700  
 Bureau Approval: Jennifer Cooperman Digitally signed by Jennifer Cooperman  
Date: 2019.08.06 13:50:55 -0700

Prepared By: Randy Stenquist  
 Date Prepared: August 5, 2019

- 1) Is a completed Impact Statement attached?  Yes
- 3) Is the item a Code ordinance?  Yes  No  
 If yes, **Auditor Office** Approval
- 5a) Is item a Portland Policy Document or Administrative Rule?  Yes  No

- 2) Does the item amend the budget?  Yes  No  
 If yes, **Budget Office** Approval
- 4) Is this item a contract (current or future), code, easement, franchise, comp plan or Charter?  Yes  No  
 If yes, **Attorney Office** Approval
- 5b) If yes, is the City Policy/Admin Rule directive in the ordinance or resolution?  Yes  No

**ACTION TAKEN:**

CLERK USE: DATE FILED 8/27/19

Mary Hull Caballero  
 Auditor of the City of Portland

By: Keelan McClymont Digitally signed by Keelan McClymont  
Date: 2019.08.27 13:23:10 -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	✓	