

Agenda No. 98

ORDINANCE No. 190294

* Pay settlement of Daniel Garcia Cuevas bodily injury claim in the sum of \$16,867 resulting from a motor vehicle collision involving the Portland Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Daniel Garcia Cuevas, through attorney Patrick Cadiz, has filed a claim against the City for injuries suffered in a motor vehicle collision involving the Portland Bureau of Transportation on May 19, 2020.
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 \$16,866.58, 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 \$10,000 made payable to the Law Offices of Patrick Cadiz and Daniel Garcia Cuevas and a second check in the amount of \$6,866.58 made payable to American National Property & Casualty Company.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

Introduced by
Mayor Ted Wheeler

Bureau
Management and
Finance
Revenue and Financial
Services
Risk Management

Prepared by
Karren Bond

Date Prepared
January 25, 2021

**Requested Council
Date**
February 17, 2021

**Requested Agenda
Type**
Consent

Date Filed with Clerk
February 9, 2021

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 Council: February 17, 2021

MARY HULL CABALLERO

Auditor of the City of Portland

By *Megan Lehman*

Deputy

Action taken:

Four Fifths Agenda	Commissioners voted as follows:		
		YEAS	NAYS
1. Rubio	1. Rubio	✓	
2. Ryan	2. Ryan	✓	
3. Hardesty	3. Hardesty	✓	
4. Mapps	4. Mapps	✓	
Wheeler	Wheeler	✓	