

**Agenda No. 153**

**ORDINANCE No. 190323**

\* Pay settlement of Estate of Quanice Hayes wrongful death lawsuit in the sum of \$1,500,000 plus costs of \$595,081 involving the Portland Police Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Estate of Quanice Hayes, through attorney J. Ashlee Albies, has filed a lawsuit against the City regarding an officer involved shooting on Thursday, February 9, 2017.
2. The lawsuit 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 lawsuit at this time.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$1,500,000 plus costs of \$595,081, 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 \$1,309,387.46 payable to Albies & Stark, LLC and their client Venus Hayes.
- b. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$785,693.54 payable to MetLife Assignment Company, Inc. to fund the structured settlement.

**Introduced by**

Mayor Ted Wheeler

**Bureau**

Management and  
Finance  
Revenue and Financial  
Services  
Risk Management

**Prepared by**

Jessica Bird

**Date Prepared**

February 11, 2021

**Requested Council  
Date**

March 10, 2021

**Requested Agenda  
Type**

Time Certain

**Start time**

2:00 pm  
1 hour requested

**Date Filed with Clerk**

March 2, 2021

c. Risk Management Services will execute payment authorizations in the amounts set forth in sub-paragraph (a) and (b) above.

d. The City of Portland's Risk Manager is authorized to execute a Qualified Assignment and Release Agreement with MetLife Assignment Company, Inc. in a form to be approved by the City Attorney.

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 Council: March 10, 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	✓	