

Agenda No. 259

ORDINANCE No. 190363

*Pay property damage claim of Cody Williams in the sum of \$32,670 involving the Portland Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Cody Williams and his insurer State Farm Insurance have filed a property damage claim against the City for damages suffered in a streetcar collision involving the Portland Bureau of Transportation on December 22, 2019.

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 \$32,669.87, 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 \$22,669.87 made payable to State Farm Insurance.

b. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$10,000.00 made payable to Cody Williams.

c. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraphs (a) and (b) above.

Introduced by

Mayor Ted Wheeler

Bureau

Management and
Finance
Revenue and Financial
Services
Risk Management

Prepared by

Rosalia Radich

Date Prepared

March 24, 2021

Requested Council Date

April 21, 2021

Requested Agenda Type

Consent

Date Filed with Clerk

April 13, 2021

Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this property damage claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by Council: April 21, 2021

MARY HULL CABALLERO

Auditor of the City of Portland

By *Megan Lehman*

Deputy

Action taken:

Commissioners voted as follows (Yea or Nay)

Rubio - Yea

Ryan - Yea

Hardesty - Yea

Mapps - Yea

Wheeler - Yea