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190551

Emergency Ordinance

***Pay settlement of Michelle Fawcett bodily injury lawsuit for the sum of \$50,000 involving the Portland Police Bureau**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Michelle Fawcett, through attorney Jeffrey Bradford, has filed a lawsuit against the City for injuries suffered during an encounter with Portland Police officers on August 4, 2018.
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 \$50,000, 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 \$50,000 made payable to Tonkon Torp Trust Account.
- 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.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
September 8, 2021

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance](#)

[Revenue and Financial Services](#)

[Risk Management](#)

Prepared by

Rosalia Radich

Date Prepared

August 11, 2021

Requested Agenda Type

Consent

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

 [Impact Statement](#) (127.7 Kb)

Budget Office Financial Impact Analysis

Total cost to the City to settle the lawsuit is \$50,000. The source of funding is the City's Insurance and Claims Fund.

Agenda Items

660 Consent Agenda in [September 8, 2021 Council Agenda](#)

Passed

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

General information

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 [711](#) Oregon Relay Service

City of Portland, Oregon



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