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190701

Emergency Ordinance

***Pay settlement of Patrick Dundon bodily injury claim for the sum of \$25,000 resulting from a motor vehicle collision involving Portland Fire & Rescue**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Patrick Dundon, through attorney Ron Sayer, and the insurer Liberty Mutual have filed a claim against the City for injuries resulting from a motor vehicle collision involving Portland Fire & Rescue on February 22, 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 \$25,000, 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 \$15,000 made payable to The Gatti Law Firm in trust for Patrick Dundon and a second check in the amount of \$10,000 made payable to Liberty Mutual.
- B. Risk Management Services will execute the payments authorizations in the amounts 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 claim; 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)

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance;](#)
[Revenue and Financial](#)
[Services; Risk Management](#)

Prepared by

Joseph Jesse

Date Prepared

January 14, 2022

Requested Agenda Type

Consent

Passed by Council
February 16, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

 [Impact Statement](#) (128.45 Kb)

Budget Office Financial Impact Analysis

Total cost to the City to settle the claim is \$25,000. The source of funding is the City's Insurance and Claims Fund. All costs of the settlement are in the current fiscal year.

Agenda Items

97 Consent Agenda in [February 16-17, 2022 Council Agenda](#)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea