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190702

Emergency Ordinance

***Pay settlement of Matthew and Gina McMahon bodily injury lawsuit for the sum of \$15,000 involving the Portland Bureau of Transportation**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Matthew and Gina McMahon, through attorney Scott F. Kocher, have filed a lawsuit against the City for injuries suffered from a motor vehicle collision involving the Portland Bureau of Transportation on December 21, 2016.
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 \$15,000, 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 Forum Law Group LLC Client 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)

Introduced by

[Mayor Ted Wheeler](#)

Bureau

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

Prepared by

Karren Bond

Date Prepared

January 21, 2022

Requested Agenda Type

Consent

Passed by Council
February 16, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

 [Impact Statement](#) (129.18 Kb)

Budget Office Financial Impact Analysis

Total cost to the City to settle the lawsuit is \$15,000. 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

98 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