



[Home](#) / [Browse Council Documents](#)

190730

Emergency Ordinance

## **\*Pay settlement of James Thorne bodily injury lawsuit for the sum of \$200,000 involving Portland Parks & Recreation**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. James Thorne, through attorney Jason Kafoury, has filed a lawsuit against the City for injuries suffered in a fall from a bicycle involving Portland Parks & Recreation May 1, 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 \$200,000, 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 \$200,000 made payable to Kafoury & McDougal 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

Joseph Jesse

Date Prepared

February 15, 2022

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

March 9, 2022

Time Requested

15 minutes

Passed by Council

March 9, 2022

Auditor of the City of Portland

Mary Hull Caballero

## Impact Statement

 [Impact Statement](#) (128.23 Kb)

## Budget Office Financial Impact Analysis

Total cost to the City to settle the lawsuit is \$200,000. 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

173 Regular Agenda in [March 9, 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