

ORDINANCE No. 152862

An Ordinance authorizing a compromise settlement in the amount of \$25,000.00 to be paid to George Castagnola for personal injury sustained in an altercation between himself and certain Portland police officers at his residence, subject to the approval of the Multnomah County Circuit Court, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. George Castagnola, who resides at 18590 Echo Way, Gladstone, Oregon, has filed a lawsuit for \$704,000.00 for personal injuries resulting from his altercation with and arrest by certain Portland police officers occurring at his residence.
2. The claim has been investigated by the City's Risk Management Division and the City Attorney's Office and it appears that there is a substantial risk that the City and the named officers might be found liable and that it is prudent to settle the claim in order to avoid full liability therefor and further costs of defense and litigation.
3. The City Attorney recommends that the claim be settled for \$25,000.00, subject to claimant providing the City Defendants with a covenant not to sue in a form to be approved by the City Attorney.
4. Pursuant to ORS 30.290, the settlement of this claim is subject to the appeal of the Multnomah County Circuit Court.

NOW, THEREFORE, the Council directs:

- a. Subject to the approval of the Multnomah County Circuit Court pursuant to ORS 30.290, the Mayor and Auditor are authorized to draw and deliver a warrant in the amount

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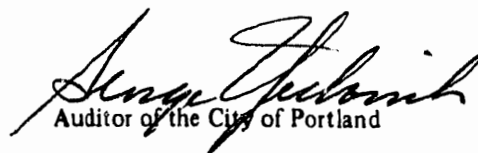
of \$25,000.00 made payable to George Castagnola and his Attorneys, James J. Roberson and Charles B. Guinasso, as settlement in full of all claims for damages upon receipt of a release approved by the City Attorney.

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

Passed by the Council, FEB 18 1982

Mayor Ivancie
G.W.McLean/pm
February 9, 1982

Attest:


Auditor of the City of Portland

Calendar No. 336

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Title

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FEB 17 1982

CONTINUED TO FEB 18 1982

FEB 9 1982

Filed _____

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By George Crall
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
JORDAN	1	
LINDBERG	1	
SCHWAB	1	
STRACHAN	1	
IVANCIE	1	

FOUR-FIFTHS CALENDAR

JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY

Mayor Ivancie

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Prepared By: Gwm Date:

G.W. McLean/pm 2/09/82

Budget Impact Review:

Completed Not required

Bureau Head:

CALENDAR

Consent

Regular

NOTED BY

City Attorney

Gwm

City Auditor

City Engineer