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## 697-2022

Emergency Ordinance

### \*Pay settlement of Jacob York's bodily injury lawsuit for the sum of \$75,000 involving the Portland Bureau of Transportation

Referred (Archived)

The City of Portland ordains:

Section 1. The Council finds:

1. Jacob York, through attorney Matthew Kaplan, has filed a lawsuit against the City for injuries suffered in a collision with the Streetcar on May 24, 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 \$75,000, 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 \$75,000 made payable to Kaplan Law in Trust for Jacob York.
- 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.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

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

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

August 3, 2022

Time Requested

15 minutes

## Impact Statement

### Purpose of Proposed Legislation and Background Information

This Ordinance settles a bodily injury lawsuit brought by Jake York, resulting from a City of Portland Streetcar collision in southeast Portland.

### Financial and Budgetary Impacts

This legislation will have no impact on City revenue.

Total cost to the City to settle the lawsuit is \$75,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

### Community Impacts and Community Involvement

This Ordinance settles a lawsuit resulting from a City of Portland Streetcar collision involving the Portland Bureau of Transportation. No public involvement or input was sought regarding this Ordinance. The City Attorney's Office and Risk Management have concluded that it is not appropriate to have public involvement in settlement negotiations regarding tort claims or lawsuits against the City.

No future public involvement is anticipated or necessary. Approval by City Council of this Ordinance will fully settle a tort claim against the City of Portland.

### 100% Renewable Goal

This legislation will have no impact on City energy use.

### Budget Office Financial Impact Analysis

Total cost to the City to settle the lawsuit is \$75,000. 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

697 Regular Agenda in [August 3, 2022 Council Agenda](#)

Referred to Commissioner of Finance and Administration