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191002

Emergency Ordinance

***Pay workers' compensation claim of Jerry Hidy in the sum of \$55,000 involving Portland Fire & Rescue**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Jerry Hidy, through attorney James Bailey, 965 SW Emkay Dr, Suite 200, Bend, OR 97702, has filed a workers' compensation claim with the city for an occupational disease with an exposure date of July 29, 1992.
2. The claim has been investigated by Risk Management Services. The investigation indicates there is risk the city may be found liable for additional, future benefits. Therefore, to avoid such risk, 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 \$55,000, 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 Auditor are hereby authorized to draw and deliver a check in the amount of \$55,000.00 made payable to Bailey and Yarmo 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 to avoid undue and costly delay in settling this Workers' Compensation 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)

Passed by Council
September 21, 2022

Auditor of the City of Portland
Mary Hull Caballero

Introduced by

[Mayor Ted Wheeler](#)

Bureau

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

Contact

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Requested Agenda Type

Consent

Impact Statement

Purpose of Proposed Legislation and Background Information

This Ordinance settles a Workers' Compensation claim brought by Jerry Hidy, resulting from an occupational disease.

Financial and Budgetary Impacts

This legislation will have no impact on City revenue.

Total cost to the City to settle the claim is \$55,000. The source of funding is the City's Workers' Compensation 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 workers' compensation claim resulting from an occupational disease involving Jerry Hidy. No public involvement or input was sought regarding this Ordinance.

No future public involvement is anticipated or necessary. Approval by City Council of this Ordinance will fully settle a workers' compensation 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 claim is \$55,000. The source of funding is the City's Workers' Compensation Claims Fund. All costs of the settlement are in the current fiscal year.

Agenda Items

778 Consent Agenda in [September 21, 2022 Council Agenda](#)

Passed

Commissioner Jo Ann Hardesty Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Absent