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## 191900

Emergency Ordinance

### \*Pay settlement of Lindsay Day property damage claim for \$5,965 involving the Portland Police Bureau

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Lindsay Day has filed a claim against the City for damages to her vehicle resulting from officers' activities involving the Portland Police Bureau on November 19, 2022.
2. The claim 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 a future lawsuit and an adverse jury award, it is prudent to settle the claim at this time.
3. Risk Management Services and the Portland Police Bureau recommend the claim be settled for the total sum of \$5,965.05, with the amount of \$983.52 still due, 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 \$983.52 made payable to Alpina Auto Body.
- 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 property damage 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)

Introduced by

[Mayor Ted Wheeler](#)

City department

[Risk Management](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

September 25, 2024

Passed by Council  
September 25, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

This Ordinance settles a property damage claim brought by Lindsay Day, resulting from Portland Police officers' activities in southeast Portland.

### Financial and Budgetary Impacts

This legislation will have no impact on City revenue.

Total cost to the City to settle the claim is \$5,965.05. 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 tort claim resulting from officers' activities involving the Portland Police Bureau. 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.

### Financial and Budget Analysis

This ordinance authorizes a payment of \$983.52 from the City's Insurance Claim Fund in the current fiscal year. This is the final payment in a \$5,965.05 settlement to resolve a claim of vehicle damage involving the Portland Police Bureau in November 2022.

## Document History

Item 822 Consent Agenda in [September 25, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/9/25)  
(<https://www.portland.gov/council/agenda/2024/9/25>)

City Council

Passed

Item 822 was pulled from the Consent Agenda for discussion.

Aye (4): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez

Absent (1): Ted Wheeler