

ORDINANCE No. 183488

*Pay claim of Mesina Lunz. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Mesina Lunz has filed a bodily injury lawsuit against the City for damages suffered in an accident at the Park Bureau's Wilson Pool on August 14, 2007.
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 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 \$18,232.00, (inclusive of the \$1,232.00 previously advanced by Risk Management) 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 \$17,000.00 made payable to Mesina Lunz and Steve Milla Attorney at Law.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

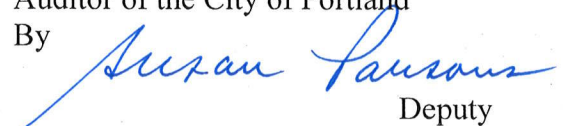
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JAN 27 2010

Mayor Sam Adams
Prepared by Mark Stairiker
Date prepared: January 13, 2010

LaVONNE GRIFFIN-VALDE
Auditor of the City of Portland

By


Deputy

Agenda No. **183488**
ORDINANCE NO.
Title

* Pay claim of Mesina Lunz (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>JAN 22 2010</u>
COMMISSIONER APPROVAL	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>[Signature]</u> Deputy</p> <p>ACTION TAKEN:</p>
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL	
Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BBS <u>Kate Wood</u> , Risk Mgr	
Prepared by: Mark Stairiker <u>[Signature]</u> Date Prepared: January 12, 2010	
Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Council Meeting Date January 27, 2010	
City Attorney Approval	

AGENDA
TIME CERTAIN <input type="checkbox"/>
Start time:
Total amount of time needed: (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/>
Total amount of time needed: (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	