

ORDINANCE No. 183566

*Pay claim of Rodney Smart. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Rodney Smart has filed a bodily injury lawsuit against the City for damages suffered when he fell in Pioneer Courthouse Square on June 8, 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 \$50,000.00, 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 \$50,000.00 made payable to Jess M. Glaeser P.C. Client Trust Account.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

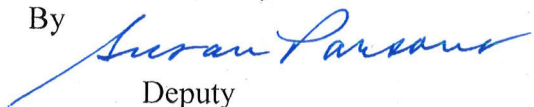
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAR 03 2010

Mayor Sam Adams
Prepared by Becky Chiao
Date prepared: February 10, 2010

LaVONNE GRIFFIN-VALDE
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 183566
 Title

* Pay claim of Rodney Smart (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>FEB 26 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BIBS Kate Wood, Risk Mgr <i>[Signature]</i></p> <p>Prepared by: Becky Chiao <i>[Signature]</i> Date Prepared: February 10, 2010</p> <p>Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required</p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. . . Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date March 3, 2010</p> <p>City Attorney Approval</p>	
<p>ACTION TAKEN:</p>	

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

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