

ORDINANCE No. 183627

*Pay claim of Cassie Benjamin. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Cassie Benjamin has filed a bodily injury lawsuit against the City for damages suffered in a bodily injury involving the Office of Management and finance on or about Oct 24, 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 \$42,254.50, 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 \$42,254.50 made payable to Zbinden and Curtis and Cassie Benjamin 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 full force and effect from and after its passage by the Council.

Passed by the Council, MAR 24 2010


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

LaVONNE GRIFFIN-VALDE
Auditor of the City of Portland

By 
Deputy

Agenda No.
ORDINANCE NO. 183627
 Title

* Pay claim of Cassie Benjamin (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>MAR 19 2010</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration <u>Adams</u> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u></u> Deputy
BUREAU APPROVAL Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director <u>BIBS</u> <u>KW</u> Kate Wood, Risk Mgr	ACTION TAKEN:
Prepared by: Becky Chiao Date Prepared: March 10, 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. . . Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date March 24, 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	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	_____	
Adams	Adams	✓	