

ORDINANCE No. 184370

*Pay claim of Amy Rivkind. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Amy Rivkind, through her attorney, Matthew Kaplan, has filed a bodily injury claim against the City for damages suffered in a fitness center equipment failure involving Portland Parks & Recreation on February 11, 2009.
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 claim at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$25,600, 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 \$25,600 made payable to "Matthew D. Kaplan Lawyer 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 claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

JAN 19 2011

Passed by the Council,

Mayor Sam Adams

Prepared by John Buehler

Date prepared: December 29, 2010

LaVONNE GRIFFIN-VALDE

Auditor of the City of Portland

By




Deputy

74

v145

Agenda No.
ORDINANCE NO. 184370
Title

* Pay claim of Amy Rivkind (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p style="text-align: right;">CLERK USE: DATE FILED <u>JAN 13 2011</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration <u>Adams</u></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: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director/BIBS <u>Kate Wood, Risk Mgr</u></p>	<p>ACTION TAKEN:</p>
<p>Prepared by: John Buehler Date Prepared: December 29, 2010</p>	
<p>Financial Impact Statement <u>X</u> Completed ___ Amends Budget ___ Not Required</p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. . Yes <u>X</u> No</p>	
<p>Council Meeting Date January 19, 2011</p>	
<p>City Attorney Approval</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	✓	