

301 -

ORDINANCE No. 184431

*Pay claim of Gregory Benton involving Portland Police Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Gregory Benton, through his attorney, Benjamin Haile, has filed a civil rights lawsuit against the City for damages suffered in a police incident occurring on September 18, 2006.
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 \$25,000, 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 \$25,000 made payable to Gregory Benton and Benjamin Haile.
- 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.

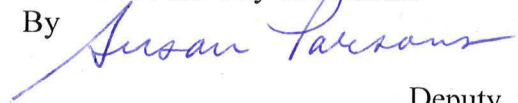
Passed by the Council,

FEB 23 2011

Mayor Sam Adams
Prepared by Mark Stairiker
Date prepared: February 1, 2011

LaVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 184431
Title

* Pay claim of Gregory Benton involving Portland Police Bureau (Ordinance)

<p align="center">INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p align="center">CLERK USE: DATE FILED <u>FEB 16 2011</u></p>
<p align="center">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</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 align="center">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>[Signature]</u> Deputy</p> <p>ACTION TAKEN:</p>
<p align="center">BUREAU APPROVAL</p> <p>Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BBS Kate Wood, Risk Mgr</p>	
<p>Prepared by: Mark Stairiker Date Prepared: February 1, 2011</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 February 23, 2011</p>	
<p align="center">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 type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <u>5 minutes</u> (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	✓	