

ORDINANCE No. 184532

\*Pay claim of Russ Gilbert involving Bureau of Transportation. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Russ Gilbert has filed a wage claim lawsuit against the City for damages suffered in a loss of wages involving the PBOT on December 15, 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 lawsuit at this time.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$50,000, 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 checks in the following amounts:
  - 1) one payroll check made payable to Russell Gilbert in the gross amount of \$35,750 with deductions and withholdings required by law; and
  - 2) one check in the amount of \$14,250 made payable to Russell Gilbert and Michael Schumann, Attorney
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

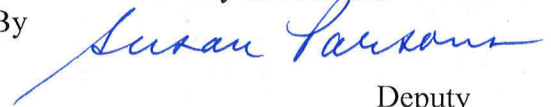
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, APR 20 2011

Mayor Sam Adams  
Prepared by Becky Chiao  
Date prepared: March 25, 2011

LaVONNE GRIFFIN-VALDE  
Auditor of the City of Portland

By



Deputy

\* Pay Claim of Russ Gilbert, involving Bureau of Transportation (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Sam Adams</p> <p><b>COMMISSIONER APPROVAL</b></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><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BBS Kate Wood, Risk Mgr</p> <p>Prepared by: Becky Chiao Date Prepared: March 25, 2011</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. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Council Meeting Date April 20, 2011</p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <u>APR 15 2011</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>[Signature]</u> Deputy</p> <p><b>ACTION TAKEN:</b></p>
--	--

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

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