

## ORDINANCE No. 184977

\*Pay claim of Gidey Zeresenai involving Parks Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Gidey Zeresenai has filed a bodily injury lawsuit against the City for damages suffered after she tripped and fell on Park Bureau property on or about September 9, 2008.
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 \$34,000, 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 \$34,000 made payable to Gidey Zeresenai and her attorney, Dennis O'Malley.
- 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,

NOV 09 2011

Mayor Sam Adams

Prepared by Becky Chiao

Date prepared: October 19, 2011

**LaVONNE GRIFFIN-VALDE**

Auditor of the City of Portland

By



Deputy

✓140

**1182**  
 Agenda No.  
**ORDINANCE NO. 184977**  
 Title

\* Pay Claim of Gidey Zeresenai involving Parks Bureau (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>NOV 04 2011</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> </div> <div style="width: 50%;">             LaVonne Griffin-Valade              Auditor of the City of Portland           </div> </div> <div style="margin-top: 20px;">             By:  _____  <div style="display: flex; justify-content: flex-end; width: 100px;">Deputy</div> </div>
<b>BUREAU APPROVAL</b> Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BBS Kate Wood, Risk Mgr	<b>ACTION TAKEN:</b>
Prepared by: Becky Chiao Date Prepared: October 19, 2011	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date November 9, 2011	
<b>City Attorney Approval</b>	

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