

ORDINANCE No. 186268

*Pay claim of Ashlei Brady (a minor) through her Guardian Ad Litem Patricia Charlan in the sum of \$70,000 involving the Parks Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ashlei Brady (a minor) through her Guardian Ad Litem Patricia Charlan, represented by attorney Stephen J. Mathieu, has filed a bodily injury lawsuit against the City for personal injury damages arising from an incident on January 2, 2011 involving Portland Parks and Recreation.
2. The claim has been investigated by the City Attorney's Office and 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 \$70,000, 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:

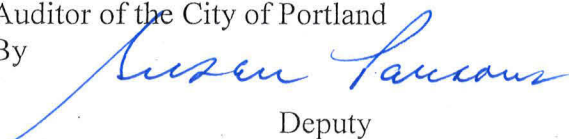
- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$70,000 made payable to the Trust Account of Stephen J. Mathieu.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

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, **OCT 02 2013**

Mayor Charlie Hales
Prepared by Becky Chiao
Date prepared: August 21, 2013

LaVONNE GRIFFIN-VALDE
Auditor of the City of Portland
By


Deputy

Agenda No.
ORDINANCE NO. 186268
Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>SEP 27 2013</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>(Signature)</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p style="text-align: center;"><i>(Signature)</i> By: _____ Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services OMF CAO: Jack D. Graham <i>(Signature)</i> Bureau Head: Bryant M. Enger <i>(Signature)</i> Risk Manager: Kate Wood <i>(Signature)</i></p> <p>Prepared by: Becky Chiao Date Prepared: September 11, 2013</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date October 2, 2013</p>	<p>ACTION TAKEN:</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. Novick	4. Novick	✓	
Hales	Hales	✓	