

ORDINANCE No.

186493

*Pay claim of Holly Pierce in the sum of \$45,000 involving the Parks Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Holly Pierce has filed a bodily injury lawsuit against the City for damages suffered in a playground accident involving the Parks Bureau on July 31, 2011.
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 \$45,000, 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 \$45,000 made payable to Holly Pierce and Cari Waters, 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, MAR 19 2014

Mayor Charlie Hales
Prepared by Randy Stenquist
Date prepared: February 21, 2014

LaVONNE GRIFFIN-VALDE

Auditor of the City of Portland

By



Deputy

Agenda No. **186493**
ORDINANCE NO. 1881
 Title

*Pay claim of Holly Pierce in the sum of \$45,000 involving the Parks Bureau. (ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>MAR 14 2014</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>JAA</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>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services Interim CAO: Fred Miller <i>FM</i> Bureau Head: Bryant M. Engle <i>BE</i> Risk Manager: Kate Wood <i>KW</i></p> <p>Prepared by: Randy Stenquist Date Prepared: February 21, 2014</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 March 19, 2014</p>	
<p>ACTION TAKEN:</p>	

AGENDA

TIME CERTAIN
 Start time:

Total amount of time needed:
 (for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed:
 (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. Novick	4. Novick	✓	
Hales	Hales	✓	