

**ORDINANCE No. 186765**

\*Pay claim of Jack Graham in the sum of \$40,000 involving the Office of Management and Finance. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Jack Graham has filed a tort claim notice against the City for damages related to his employment in the Office of Management and Finance which ended in November 2013.
2. The claim has been investigated by Risk Management Services. While the allegations in the tort claim notice have not been substantiated, the investigation nonetheless indicates there is at least some risk the City could be found liable. Therefore, in order to avoid the expense of litigation and risk of an adverse jury award, we feel it is prudent to compromise the claim at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$40,000, payable to the claimant's attorneys Buchannan Angeli, Altschul & Sullivan LLP for his incurred attorney's fees, 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 \$40,000 made payable to Buchanan, Angeli, Altschul & Sullivan LLP.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

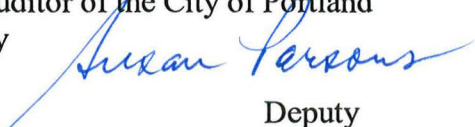
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **AUG 27 2014**

Mayor Charlie Hales  
Prepared by Becky Chiao  
Date prepared: July 30, 2014

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

  
Deputy

878

Agenda No.

ORDINANCE NO. 186765

Title

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(Ordinance)

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|---|---|
| <b>INTRODUCED BY</b><br>Commissioner/Auditor:<br>Mayor Charlie Hales  | CLERK USE: DATE FILED <u>AUG 22 2014</u>  |
| <b>COMMISSIONER APPROVAL</b><br>Mayor—Finance and Administration - Hales <i>[Signature]</i><br>Position 1/Utilities - Fritz<br>Position 2/Works - Fish<br>Position 3/Affairs - Saltzman<br>Position 4/Safety - Novick   | LaVonne Griffin-Valade<br>Auditor of the City of Portland<br><br>By: <i>[Signature]</i><br>Deputy<br><br><b>ACTION TAKEN:</b> |
| <b>BUREAU APPROVAL</b><br>Bureau: OMF Bureau of Internal Business Services<br>CAO: Fred Miller<br>Bureau Head: Bryant M. Enger <i>[Signature]</i><br>Risk Manager: Kate Wood <i>[Signature]</i><br>Prepared by: Becky Chiao<br>Date Prepared: July 30, 2014<br>Financial Impact & Public Involvement Statement<br>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/><br>Portland Policy Document<br>If "Yes" requires City Policy paragraph stated in document.<br>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/><br><b>City Auditor Office Approval:</b><br>required for Code Ordinances<br><b>City Attorney Approval:</b><br>required for contract, code, easement, franchise, comp plan, charter<br>Council Meeting Date <b>August 27, 2014</b> |   |

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| <b>AGENDA</b><br><b>TIME CERTAIN</b> <input type="checkbox"/><br><b>Start time:</b><br><br><b>Total amount of time needed:</b><br>(for presentation, testimony and discussion)<br><br><b>CONSENT</b> <input checked="" type="checkbox"/><br><br><b>REGULAR</b> <input type="checkbox"/><br><b>Total amount of time needed:</b><br>(for presentation, testimony and discussion) |
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| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: |                                     |      |
|--------------------|---------------------------------|-------------------------------------|------|
|                    |                                 | YEAS                                | NAYS |
| 1. Fritz           | 1. Fritz                        | <input checked="" type="checkbox"/> |      |
| 2. Fish            | 2. Fish                         | <input checked="" type="checkbox"/> |      |
| 3. Saltzman        | 3. Saltzman                     | <input checked="" type="checkbox"/> |      |
| 4. Novick          | 4. Novick                       | <input checked="" type="checkbox"/> |      |
| Hales              | Hales                           | <input checked="" type="checkbox"/> |      |