

ORDINANCE No. 18 6780

*Pay claim of Eric Olenslager in the sum of \$67,500 involving the Portland Fire Bureau.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Eric Olenslager has filed a bodily injury lawsuit against the City for damages suffered in an automobile collision involving the Portland Fire Bureau on March 11, 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 \$67,500, 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 \$52,500 made payable to Bruce R McCain LLC Client Trust Account.
- b. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$14,878 made payable to USAA Insurance (total settlement amount to USAA is \$15,000, of which \$122 has previously been paid).
- c. Risk Management Services will execute a payment authorization in the amounts set forth in sub-paragraphs (a) and (b) above.

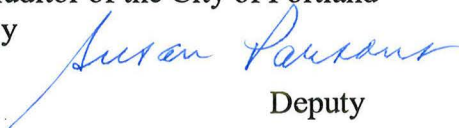
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, SEP 03 2014

Mayor Charlie Hales
Prepared by John W. Buehler
Date prepared: August 11, 2014

LaVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 186780
Title

*Pay claim of Eric Olenslager in the sum of \$67,500 involving the Portland Fire Bureau. (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>AUG 29 2014</u></p>
<p>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 align="center">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services <i>[Signature]</i></p> <p>CAO: Fred Miller <i>[Signature]</i></p> <p>Bureau Head: Bryant M. Engle <i>[Signature]</i></p> <p>Risk Manager: Kate Wood <i>[Signature]</i></p>	<p>ACTION TAKEN:</p>
<p>Prepared by: John W. Buehler Date Prepared: August 11, 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 September 3, 2014</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	<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"/>	