ORDINANCE No. 186812

*Pay claim of Cleon Harris in the sum of \$78,685 involving the Portland Fire Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

- 1. Cleon Harris has filed a bodily injury lawsuit against the City for damages suffered in a motor vehicle accident involving the the Portland Fire Bureau on August 8, 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 \$78,685.10, subject to the claimant providing the City with a release in a form to be approved by the City Attorney. Risk Management Services has previously paid \$3,685.10 to Wawanesa Insurance to resolve their PIP subrogation; \$75,000 will be paid to Mr. Harris and his attorney with this ordinance.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$75,000 made payable to Botttini, Bottini & Oswald, PC and Cleon Harris.
- 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 0.1 2014

Mayor Charlie Hales Prepared by Randy Stenquist Date prepared: August 28, 2014 LaVONNE GRIFFIN-VALADE Auditor of the City of Portland By

Jusan

Deputy

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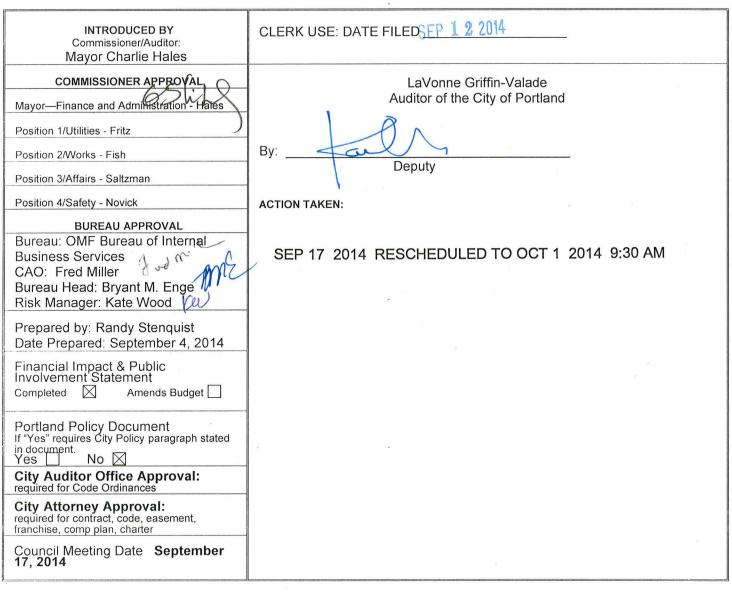
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Title

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| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | | |
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| 2. Fish | 2. Fish | ~ | |
| 3. Saltzman | 3. Saltzman | ~ | |
| 4. Novick | 4. Novick | ~ | |
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