

ORDINANCE No. 186831

*Pay claims of Steven Leben in the sum of \$83,000 involving the Bureau of Transportation.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Steven Leben has filed Workers' Compensation claims against the City for on-the-job injuries and illnesses while employed by the Bureau of Transportation since October 12, 1989.
2. The claims have been investigated by Risk Management Services. While most were accepted, the most recent claim investigation indicates there is risk the City may be found liable. Therefore, in order to avoid the risk of an adverse award, we feel it is prudent to compromise the Claim at this time.
3. Risk Management Services recommends the Claims be compromised for the total sum of \$83,000 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 checks made payable to Steven Leben and his attorney, Steven M. Schoenfeld of Schoenfeld and Schoenfeld, for the combined amount of \$82,500 from the Workers' Compensation fund. The Bureau of Transportation will issue a check in the amount of \$500, for a total settlement amount of \$83,000.
- b. Risk Management Services will execute 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 these Claims; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **OCT 08 2014**

Mayor Charlie Hales
Prepared by Susan Cline-Quinones
Date prepared: September 16, 2014

LaVONNE GRIFFIN-VALDE
Auditor of the City of Portland

By 
Deputy

Agenda No.
ORDINANCE NO. 186831
 Title

*Pay claims of Steven Leben in the sum of \$83,000 involving the Bureau of Transportation, (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>OCT 03 2014</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>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services OMF CAO: Fred Miller <i>[Signature]</i> Bureau Head: Bryant M. Enge Risk Manager: Kate Wood <i>[Signature]</i></p> <p>Prepared by: Susan Cline-Quinones Date Prepared: September 16, 2014</p>	<p>ACTION TAKEN:</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 8, 2014</p>	

<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	✓	