ORDINANCE No.   186978

*Pay claim of James Waters in the sum of $47,500 involving the Portland Police Bureau (Ordinance)

The City of Portland ordains:

Section 1.  The Council finds:

1.  James Waters, through his attorney, Greg Kafoury, has filed a bodily injury lawsuit against the City for damages suffered in an incident occurring on April 10, 2012.

2.  The claim has been investigated by Risk Management Services and the City Attorney's Office. 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 and the City Attorney's Office recommend the lawsuit be compromised for the total sum of $47,500, 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 $47,500 made payable to Kafoury and McDougal Lawyer Trust Account.

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.

**Mary Hull Caballero**

Passed by the Council,   JAN 1 4 2015

Auditor of the City of Portland

By  _Susan Parsons_

Mayor Charlie Hales
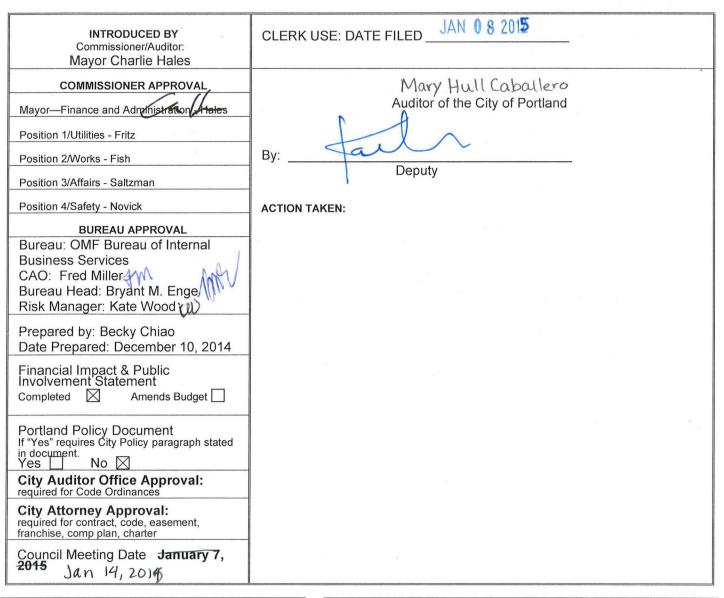Prepared by Becky Chiao
Date prepared:  December 8, 2014

Deputy

Agenda No.
## ORDINANCE NO. 186978
Title

> *Pay claim of James Waters in the sum of $47,500 involving the Portland Police Bureau. (Ordinance)

| INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales | CLERK USE: DATE FILED JAN 0 8 2015 |
|---|---|
| **COMMISSIONER APPROVAL** | |
| Mayor—Finance and Administration - Hales | Mary Hull Caballero |
| Position 1/Utilities - Fritz | Auditor of the City of Portland |
| Position 2/Works - Fish | By: _____ |
| Position 3/Affairs - Saltzman | Deputy |
| Position 4/Safety - Novick | |
| **BUREAU APPROVAL** | ACTION TAKEN: |
| Bureau: OMF Bureau of Internal Business Services CAO: Fred Miller Bureau Head: Bryant M. Enge Risk Manager: Kate Wood | |
| Prepared by: Becky Chiao Date Prepared: December 10, 2014 | |
| Financial Impact & Public Involvement Statement Completed ☒ Amends Budget ☐ | |
| Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes ☐ No ☒ | |
| **City Auditor Office Approval:** required for Code Ordinances | |
| **City Attorney Approval:** required for contract, code, easement, franchise, comp plan, charter | |
| Council Meeting Date ~~January 7, 2015~~ Jan 14, 2015 | |

| AGENDA |
|---|
| **TIME CERTAIN** ☐ Start time: |
| **Total amount of time needed:** (for presentation, testimony and discussion) |
| **CONSENT** ☐ |
| **REGULAR** ☒ Total amount of time needed: **15 minutes** (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 | ✓ | |