

**ORDINANCE No. 187023**

\*Pay claim of Elias Evans in the sum of \$16,000 involving the Portland Bureau of Transportation. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Elias Evans has filed a bodily injury claim against the City for damages suffered in a sinkhole incident involving the Portland Bureau of Transportation on December 18, 2012.
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 claim at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$16,000, 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 a check in the amount of \$16,000 made payable to Leonard Berman in trust for Elias Evans.
- 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, FEB 25 2015

Mayor Charlié Hales  
Prepared by Randy Stenquist  
Date prepared: January 27, 2015

**MARY HULL CABALLERO**  
Auditor of the City of Portland  
By

  
Deputy

Agenda No.  
**ORDINANCE NO.**  
Title

**187023**

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Charlie Hales</p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor <i>[Signature]</i> Finance and Administration - Hales</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><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF Bureau of Internal Business Services CAO: Fred Miller <i>[Signature]</i> Bureau Head: Bryant M. Enge <i>[Signature]</i> Risk Manager: Kate Wood <i>[Signature]</i></p> <p>Prepared by: Randy Stenquist Date Prepared: January 27, 2015</p> <p>Financial Impact &amp; 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><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>February 25, 2015</b></p>

CLERK USE: DATE FILED FEB 20 2015

Auditor of the City of Portland

By: *[Signature]*  
Deputy

ACTION TAKEN:

<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time:</p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <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	✓	