

ORDINANCE No. 187182

*Pay claim of Christine Smith in the sum of \$39,075 involving Parks Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Through her attorney John O'Hara, Christine Smith has filed a bodily injury lawsuit against the City for damages suffered in a trip and fall involving Portland Parks and Recreation on August 31, 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 lawsuit at this time.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$39,075.00, 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 \$39,075.00 made payable to Christine Smith and Warren and Allen LLP.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

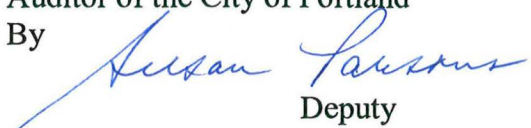
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUN 17 2015

Mayor Charlie Hales
Prepared by Becky Chiao
Date prepared: May 14, 2015

MARY HULL CABALLERO
Auditor of the City of Portland

By


Deputy

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Agenda No.
ORDINANCE NO. 187182
Title

*Pay claim of Christine Smith in the sum of \$39,075 involving Parks Bureau.

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| <p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration <i>[Signature]</i> 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>BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services <i>[Signature]</i> CAO: Fred Miller Bureau Head: Bryant M. Enge <i>[Signature]</i> Risk Manager: Kate Wood <i>[Signature]</i></p> <p>Prepared by: Becky Chiao Date Prepared: May 14, 2015</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 June 17, 2015</p> | <p>CLERK USE: DATE FILED <u>JUN 12 2015</u></p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p>ACTION TAKEN:</p> |
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| 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 | ✓ | |
| 2. Fish | 2. Fish | ✓ | |
| 3. Saltzman | 3. Saltzman | — | — |
| 4. Novick | 4. Novick | ✓ | |
| Hales | Hales | ✓ | |