

ORDINANCE No. 187247

*Pay claim of Spencer Shanks in the sum of \$178,882 involving Bureau of Development Services. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Spencer Shanks has filed a bodily injury lawsuit against the City for damages suffered in a motor vehicle accident involving the Bureau of Development Services Bureau on June 25, 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 \$178,882.75, 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 \$175,000 made payable to Kafoury & McDougal Trust Account. Combined with the \$3,882.75 previously paid to Farmers Insurance, the total value of this bodily injury settlement is \$178,882.75.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

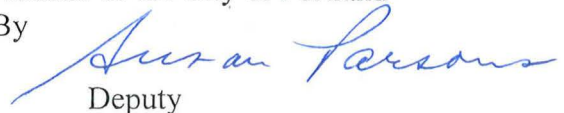
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **JUL 08 2015**

Mayor Charlie Hales
Prepared by Randy Stenquist
Date prepared: June 16, 2015

MARY HULL CABALLERO
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 187247
 Title

*Pay claim of Spencer Shanks in the sum of \$178,882 involving Bureau of Development Services.

<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>JUL 02 2015</u></p>
<p>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>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</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: June 16, 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 July 8, 2015</p>	<p>ACTION TAKEN:</p>

AGENDA

TIME CERTAIN
Start time:

Total amount of time needed:
 (for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed:
 (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	✓	