

ORDINANCE No. 187 485

*Pay claim of Michael Jimenez in the sum of \$57,920 involving the Bureau of Transportation.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Michael Jimenez has filed a property damage lawsuit against the City for damages suffered in a sewer backup involving the Bureau of Transportation Bureau on April 15, 2013.
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 \$57,920, subject to the claimant providing the City with a release in a form to be approved by the City Attorney. This amount represents \$47,500 to be paid to Mr. Jimenez and his attorney, along with the previous payment of \$10,420 made to State Farm Insurance.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$47,500.00 made payable to Brownstein Rask Lawyer Trust Account.
- b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

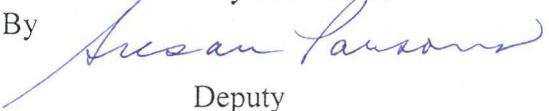
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, DEC 09 2015

Mayor Charlie Hales
Prepared by Randy Stenquist
Date prepared: November 10, 2015

MARY HULL CABALLERO
Auditor of the City of Portland


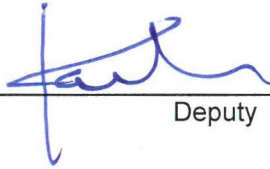
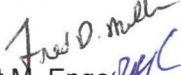


By


Deputy

- 1272 -

Agenda No.
ORDINANCE NO. 187 485
Title

*Pay claim of Michael Jimenez in the sum of \$57,920 involving the Bureau of Transportation.
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INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED DEC 01 2015
COMMISSIONER APPROVAL Mayor—  —Hales	Mary Hull Caballero Auditor of the City of Portland
Position 1/Utilities - Fritz	By:  Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL Bureau: OMF Bureau of Internal Business Services CAO: Fred Miller  Bureau Head: Bryant M. Engle  Risk Manager: Kate Wood 	
Prepared by: Randy Stenquist Date Prepared: November 18, 2015	ACTION TAKEN:
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date December 9, 2015	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	