

ORDINANCE No. 187513

*Pay settlement of lawsuit by Pavel Krivolentkov and Estate of Kseniya Aleksandrova in the sum of \$325,000, involving the Portland Bureau of Transportation. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Pavel Krivolentkov and the Estate of Kseniya Aleksandrova, through their attorneys, Kafoury & McDougal, have filed a bodily injury and wrongful death lawsuit against the City for damages suffered in an incident occurring on November 20, 2012.
2. The claims in the lawsuit have 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 \$325,000.00, subject to the claimants 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 \$325,000.00 made payable to Kafoury & McDougal Client 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 16 2015

Mayor Charlie Hales
Prepared by David Landrum
Date prepared: December 2, 2015

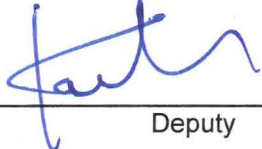

MARY HULL CABALLERO
Auditor of the City of Portland

By 
Deputy

Agenda No. **187513**
ORDINANCE NO.

Title

* Pay settlement of lawsuit by Pavel Krivolentkov and Estate of Kseniya Aleksandrova in the sum of \$325,000, involving the Portland Bureau of Transportation. (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>DEC 08 2015</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - <i>JAH</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 style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  _____ Deputy</p> <p>ACTION TAKEN:</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services CAO: Fred Miller Bureau Head: Bryant M. Enge Risk Manager: Kate Wood</p>	
<p>Prepared by: David Landrum Date Prepared: December 2, 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 December 16, 2015</p>	

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 type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 15 minutes (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	✓	