

ORDINANCE No. 187754

*Pay claim of Shannon Kuehl in the sum of \$35,000 involving the Portland Bureau of Environmental Services. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Shannon Kuehl has filed a personal injury lawsuit against the City for damages suffered in a trip-and-fall incident on March 18, 2014 involving the Portland Bureau of Environmental Services.
2. The claim has 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 \$35,000, 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 \$35,000 made payable to: "Shannon Kuehl and The Gatti Law Firm."
- 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.

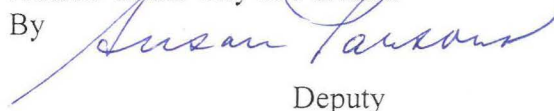
Passed by the Council, **MAY 25 2016**

Mayor Charlie Hales
Prepared by John Buehler
Date prepared: April 29, 2016

MARY HULL CABALLERO

Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 187754
 Title

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INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED <u>MAY 17 2016</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By: <u>Susan Sauson</u> Deputy
BUREAU APPROVAL Bureau: OMF Bureau of Internal Business Services CAO: Fred Miller <i>Fred Miller</i> Bureau Head: Bryant M. Engle <i>Bryant M. Engle</i> Risk Manager: Kate Wood <i>Kate Wood</i> Prepared by: John Buehler Date Prepared: April 29, 2016 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 May 25, 2016	ACTION TAKEN:

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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	_____	
Hales	Hales	✓	