

## ORDINANCE No. 187847

\*Pay claim of Janos Bodnar in the sum of \$40,000 involving Bureau of Transportation.  
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Janos Bodnar, through his attorney J. Clay McCaslin, has filed a bodily injury lawsuit against the City for damages suffered in a fall on February 12, 2015 caused by a raised concrete sidewalk corner, involving the Bureau of Transportation.
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 \$40,000.00, 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 \$40,000.00 made payable to "Law Office of J. Clay McCaslin, in trust for Janos Bodnar."
- 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 29 2016

Mayor Charlie Hales  
Prepared by John Buehler  
Date prepared: May 25, 2016

MARY HULL CABALLERO  
Auditor of the City of Portland

By

  
Deputy

741

140

Agenda No.  
**ORDINANCE NO. 187847**  
 Title

\*Pay claim of Janos Bodnar in the sum of \$40,000 involving the Bureau of Transportation. (Ordinance)

<p><b>INTRODUCED BY</b>          Commissioner/Auditor:          Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>JUN 21 2016</u></p>
<p><b>COMMISSIONER APPROVAL</b></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: <i>[Signature]</i>          Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF Bureau of Internal Business Services</p> <p>CAO: Fred Miller <i>[Signature]</i></p> <p>Bureau Head: Bryant M. Engle <i>[Signature]</i></p> <p>Risk Manager: Kate Wood <i>[Signature]</i></p> <p>Prepared by: John Buehler          Date Prepared: May 26, 2016</p> <p>Financial Impact &amp; 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><b>City Auditor Office Approval:</b>          required for Code Ordinances</p> <p><b>City Attorney Approval:</b>          required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>June 29, 2016</b></p>	<p><b>ACTION TAKEN:</b></p>

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