

Agenda No. 217

ORDINANCE No. 190346

*Pay settlement of Mikhail Garbinsky, Catherine Garbinsky, Rica Rillo and Nicholas Anderson bodily injury lawsuit in the sum of \$50,000 resulting from a motor vehicle collision involving Portland Parks & Recreation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Mikhail Garbinsky, Catherine Garbinsky, Rica Rillo and Nicholas Anderson through attorneys Kellie Furr and Steven Heller have filed a lawsuit for injuries suffered in a motor vehicle collision involving Portland Parks & Recreation May 28, 2016.
2. The lawsuit 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 \$50,000, 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 \$50,000 made payable to Furr Law, LLC IOLTA Re: Garbinsky.
- B. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

Introduced by

Mayor Ted Wheeler

Bureau

Management and Finance
Revenue and Financial Services
Risk Management

Prepared by

Jessica Bird

Date Prepared

March 15, 2021

Requested Council Date

April 7, 2021

Requested Agenda Type

Consent

Date Filed with Clerk

March 30, 2021

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

Passed by Council: April 7, 2021

MARY HULL CABALLERO

Auditor of the City of Portland

By *Megan Lehman*

Deputy

Action taken:

Commissioners voted as follows (Yea or Nay)

Rubio - Yea

Ryan - Yea

Hardesty -

Mapps - Yea

Wheeler - Yea