Agenda No. 332

ORDINANCE NO. 190397

*Pay settlement of Mark Wuttig bodily injury lawsuit for the sum of $25,000 involving the Portland Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Mark Wuttig, through attorney J. Randolph Pickett, has filed a lawsuit against the City for injuries suffered in a collision between a cyclist and a motor vehicle involving the Portland Bureau of Transportation on October 18, 2017.

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 $25,000, 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 $25,000 made payable to Pickett Dummigan McCall LLP, Client Trust Account FBO Mark Wuttig.

Introduced by
Mayor Ted Wheeler

Bureau
Management and Finance
Revenue and Financial Services
Risk Management

Prepared by
Jessica Bird

Date Prepared
April 14, 2021

Requested Council Date
May 12, 2021

Requested Agenda Type
Consent

Date Filed with Clerk
May 4, 2021

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 bodily injury lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by Council: May 12, 2021

MARY HULL CABALLERO
Auditor of the City of Portland

Action Taken:

By *Megan Lehman*

Deputy

Commissioners voted as follows (Yea or Nay)

Rubio - Yea

Ryan - Yea

Hardesty - Yea

Mapps - Yea

Wheeler - Yea