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# 191929

Emergency Ordinance

## \*Pay settlement of the Estates of Kelsi Edmonds, Seth Thompson, and Robert Gremillion wrongful death lawsuit for \$500,000 involving Portland Fire & Rescue and Planning & Sustainability

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Estates of Kelsi Edmonds, Seth Thompson, and Robert Gremillion, through attorney Scott Lucas, have filed a wrongful death lawsuit against the property owner and others resulting from an apartment complex fire on July 4, 2021. The property owner has filed a third-party complaint against the City alleging negligence contributing to the fire involving Portland Fire & Rescue and Planning and Sustainability.
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, it is prudent to settle the lawsuit at this time.
3. City Attorney, Risk Management Services, Portland Fire & Rescue, and Planning & Sustainability recommend the lawsuit be compromised for the total sum of \$500,000, 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 \$500,000 to Johnson Johnson Lucas & Middleton PC in Trust for Heidi Manor.
- 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.

Introduced by

[Mayor Ted Wheeler](#)

City department

[Risk Management](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

October 23, 2024

Time Requested

10 minutes

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
October 23, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

This Ordinance settles a lawsuit brought by the Estates of Kelsi Edmonds, Seth Thompson, and Robert Gremillion resulting from a fire in northeast Portland.

### Financial and Budgetary Impacts

This legislation will have no impact on City revenue.

Total cost to the City to settle the lawsuit is \$500,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

### Economic and Real Estate Development Impacts

N/A

### Community Impacts and Community Involvement

This Ordinance settles a lawsuit resulting from a dumpster fire that spread to an apartment complex involving Portland Fire & Rescue and Planning & Sustainability. No public involvement or input was sought regarding this Ordinance. The City Attorney's Office and Risk Management have concluded that it is not appropriate to have public involvement in settlement negotiations regarding tort claims or lawsuits against the City.

No future public involvement is anticipated or necessary. Approval by City Council of this Ordinance will fully settle a tort claim against the City of Portland.

### 100% Renewable Goal

This legislation will have no impact on City energy use.

## Financial and Budget Analysis

Claim regarding an apartment fire on July 1, 2021. The property owner has filed a third-party complaint involving Portland Fire & Rescue and Planning and the Bureau of Planning and Sustainability. Total cost to the City to settle the claim is \$500,000.00. The source of funding is the City's Insurance and Claims Fund. All costs of the settlement are in the current fiscal year.

## Document History

Item 906 Regular Agenda in [October 23, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/10/23)  
(<https://www.portland.gov/council/agenda/2024/10/23>)

City Council

Passed

Aye (4): Mingus Mapps, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Carmen Rubio