

ORDINANCE No. 186983 As Amended

*Pay claim of Mel Shulevitz in the sum of \$88,000 involving Bureau of Environmental Services.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Mel Shulevitz, through attorney Steven Kahn, has filed a bodily injury lawsuit against the City for injuries suffered on August 26, 2012 in a bicycle fall on a sidewalk abutting property owned by the 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 \$88,000.00, 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 \$88,000.00 made payable to Mel Shulevitz and Steven Kahn, his Attorney.
- 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, JAN 21 2015

Mayor Charlie Hales
Prepared by John Buehler
Date prepared: December 16, 2014

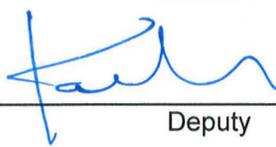
MARY HULL CABALLERO
Auditor of the City of Portland
By

Susan Parsons
Deputy

Agenda No.
ORDINANCE NO.
Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>JAN 16 2015</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</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:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OMF Bureau of Internal Business Services CAO: Fred Miller <i>Fred Miller</i> Bureau Head: Bryant M. Engle <i>BME</i> Risk Manager: Kate Wood <i>KW</i></p> <p>Prepared by: John Buehler Date Prepared: January 7, 2015</p> <p>Financial Impact & 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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date January 21, 2015</p>	<p>ACTION TAKEN:</p>

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time:</p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/> <i>Pulled</i></p>
<p>REGULAR <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	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales	_____	