

Agenda No. 6

ORDINANCE No.

*Pay settlement of Colleen Kane property damage lawsuit in the sum of \$8,000 involving the Portland Water Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Colleen Kane, through attorney Simon Whang, has filed a lawsuit against the City for damages suffered in a sewer backup incident involving the Portland Water Bureau on December 18, 2019.
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 \$8,000, 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 \$8,000 made payable to Richardson Wright Client Trust Account.
- 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
November 24, 2020

**Requested Council
Date**
January 6, 2021

**Requested Agenda
Type**
Consent

Date Filed with Clerk
December 28, 2020

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

Passed by Council:

MARY HULL CABALLERO

Auditor of the City of Portland

By

Deputy

Four Fifths Agenda	Commissioners voted as follows:		
		YEAS	NAYS
1. Rubio	1. Rubio		
2. Ryan	2. Ryan		
3. Hardesty	3. Hardesty		
4. Mapps	4. Mapps		
Wheeler	Wheeler		

