



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 03/25/11)

Board Clerk Use Only

Meeting Date: 9/6/12
Agenda Item #: R.9
Est. Start Time: 10:20 am
Date Submitted: 8/22/12

Agenda Title: **Authorize Settlement of Multnomah County v. Holahan, MCCC No. 1110-13026.**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: September 6, 2012 **Amount of Time Needed:** 5 minutes
Department: Community Services **Division:** Transportation/Bridges
Contact(s): Matthew O. Ryan, Assistant County Attorney
Phone: 503-988-3138 **Ext.** #26932 Bldg # 503, Rm. 500
Presenter Name(s) & Title(s): Matthew O. Ryan, Assistant County Attorney

General Information

1. What action are you requesting from the Board?

Authorize settlement of Multnomah County v. Holahan, MCCC No. 1110-13026.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

This is a condemnation action to acquire property necessary for the construction of the new Sellwood Bridge. The settlement will settle all issues in the case including claims for just compensation and attorney fees. This settlement does not affect any Program Offers. See #3 below.

3. Explain the fiscal impact (current year and ongoing).

The negotiated recommended settlement is \$1,185,478. Sufficient funds have been secured to proceed with final design and right-of-way acquisitions.

4. Explain any legal and/or policy issues involved.

On December 18, 2003, the Board adopted Resolution 03-171 delegating authority to the County Attorney to settle claims and litigation against the County or its employees in amounts up to \$25,000 per case. The County Attorney must obtain Board approval for all settlements of over \$25,000.

5. Explain any citizen and/or other government participation that has or will take place.

N/A.

Required Signature

Elected Official or
Department/
Agency Director:



Date: 8/22/12

Jenny M. Morf, County Attorney