

ORDINANCE No. 184266

*Pay Claim of Brenda Phikulchakorn. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. State Farm Insurance as insurer for Brenda Phikulchakorn has filed a property damage claim against the City for damages suffered in an incident occurring on November 10, 2008. In the subrogation claim, claimant makes a claim for motor vehicle repairs costs arising out of and accident involving the Portland Police Bureau.
2. The claim 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 claim at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$8,500, 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 \$3,500 made payable to State Farm Insurance as subrogee for Brenda Phikulchakorn. (\$5,000 has previously been paid to State Farm Insurance.)
- 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 claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

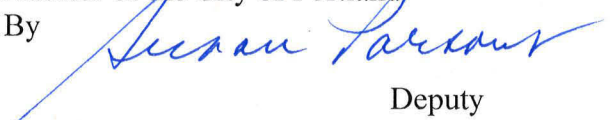
DEC 01 2010

Mayor Sam Adams
Prepared by Mark Stairiker
Date prepared: November 3, 2010

LaVONNE GRIFFIN-VALADE

Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 184266
 Title

* Pay claim of Brenda Phikulchakorn (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>NOV 23 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BIBS <i>[Signature]</i> Kate Wood, Risk Mgr</p> <p>Prepared by: Mark Stairiker Date Prepared: November 3, 2010</p> <p>Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required</p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Council Meeting Date December 1, 2010</p> <p>City Attorney Approval</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"/></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. Leonard	✓	
Adams	✓	