

ORDINANCE No. 185293

*Pay claims of Huong Nguyen and Cho Thi Vu involving Bureau of Environmental Services.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Farmers Insurance, as subrogee of Huong Nguyen and Cho Thi Vu, has filed claims against the City for reimbursement of payments it made for injuries suffered in a motor vehicle accident involving BES on December 16, 2009.
2. The claims have 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 claims at this time.
3. Risk Management Services recommends the subrogation claims of Farmers Insurance be resolved for the total sum of \$9,365.98, subject to the claimants providing the City with a release in a form to be approved by the City Attorney. Risk Management has previously advanced \$4,200 to Huong Nguyen and \$4,000 to Cho Thi Vu for settlement of their general damages claims. The total to be authorized pursuant to this Ordinance is therefore \$17,565.98.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver one check in the amount of \$4,857.80 made payable to Farmers Insurance Company, and a second check for \$4,508.18, also payable to Farmers Insurance. (Total claim settlement is \$17,565.98 for both claimants.)
- b. Risk Management Services will execute payment authorizations in the amounts 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,

MAY 02 2012

Mayor Sam Adams
Prepared by Randy Stenquist
Date prepared: April 10, 2012

LaVONNE GRIFFIN-VALDE
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 185293
 Title

* Pay claims of Huong Nguyen and Cho Thi Vu, involving Bureau of Environmental Services (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>APR 27 2012</u></p>
<p style="text-align: center;">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 style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p>ACTION TAKEN:</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: OMF/Risk Management Services Bureau Head: Bryant Enge, Director <i>[Signature]</i> BIBS <i>[Signature]</i> Kate Wood, Risk Mgr</p>	
<p>Prepared by: Randy Stenquist Date Prepared: April 10, 2012</p>	
<p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date May 2, 2012</p>	
<p>City Attorney Approval</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	✓	