

ORDINANCE No.

186075

*Pay claim of William Kyle Monroe in the sum of \$965,000 involving the Portland Police Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. William Kyle Monroe, through his attorney, Thane Tienison, has filed an injury lawsuit against the City for damages suffered in an incident occurring on June 30, 2011 involving the Portland Police Bureau.
2. The claim has been investigated by Risk Management Services and the City Attorney. 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 \$2,300,000 subject to the claimant providing the City with a release in a form to be approved by the City Attorney.
4. The City's liability cost will be \$965,000 paid from the Insurance and Claims Fund.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$965,000 made payable to Landye Bennett Blumstein LLP in trust for William Kyle Monroe.
- 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, **JUN 05 2013**

Mayor Charlie Hales
Prepared by Mark Stairiker
Date prepared: May 9, 2013

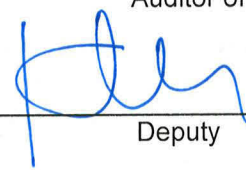
LaVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By


Deputy

Agenda No. **186075**
ORDINANCE NO.
 Title

* Pay claim of William Kyle Monroe the sum of \$965,000 involving the Portland Police Bureau (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED <u>MAY 31 2013</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: OMF/Bureau of Internal Business Services/Risk Management OMF CAO: Jack D. Graham Bureau Head: Bryant M. Engle Risk Manager: Kate Wood	ACTION TAKEN:
Prepared by: Mark M. Stairiker Date Prepared: May 9, 2013	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date June 5, 2013	
City Attorney Approval Required for contract, code, easement, franchise, comp plan, charter	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: Total amount of time needed: (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	_____	