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191904

Emergency Ordinance

*Pay settlement of Alexa Comick bodily injury and property damage claim for \$26,145 resulting from a motor vehicle collision involving the Portland Police Bureau

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Alexa Comick, through attorney Adam Kiel, has filed a claim against the City for injuries and damages to her vehicle resulting from a motor vehicle collision involving the Portland Police Bureau on May 17, 2023.
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, it is prudent to compromise the Claim at this time.
3. Risk Management Services and Portland Police Bureau recommend the claim be compromised for the total sum of \$26,144.82, 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 \$10,000 made payable to the Kafoury & McDougal Client Trust Account. A second check in the amount of \$16,144.82 made payable to Geico for property damage and Personal Injury Protection (PIP).
- B. Risk Management Services will execute the 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 bodily injury and property damage

Introduced by

[Mayor Ted Wheeler](#)

City department

[Risk Management](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

October 9, 2024

claim; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
October 9, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This Ordinance settles a bodily injury and property damage claim brought by Alexa Comick, resulting from a motor vehicle collision in Southeast Portland.

Financial and Budgetary Impacts

This legislation will have no impact on City revenue.

Total cost to the City to settle the claim is \$26,144.82. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

Community Impacts and Community Involvement

This Ordinance settles a tort claim resulting from a motor vehicle collision involving the Portland Police Bureau. No public involvement or input was sought regarding this Ordinance. The City Attorney's Office and Risk Management have concluded that it is not appropriate to have public involvement in settlement negotiations regarding tort claims or lawsuits against the City.

No future public involvement is anticipated or necessary. Approval by City Council of this Ordinance will fully settle a tort claim against the City of Portland.

100% Renewable Goal

This legislation will have no impact on City energy use.

Financial and Budget Analysis

Claim regarding a motor vehicle collision on May 17, 2023 involving the Portland Police Bureau. Total cost to the City to settle the claim is \$26,144.82. The source of funding is the City's Insurance and Claims Fund. All costs of the settlement are in the current fiscal year.

Document History

Item 850 Consent Agenda in [October 9-10, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/10/9)
(<https://www.portland.gov/council/agenda/2024/10/9>)

City Council

Passed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler
Absent (1): Dan Ryan