

**ORDINANCE No. 183671**

\*Pay claim of Nicole Whitley. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Nicole Whitley, through her attorney, Katelyn Oldham, has filed a lawsuit against the City related to her employment with 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 lawsuit at this time.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$170,000.00, 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 checks to Nicole Whitley in the amount of \$23, 691.20 less the usual payroll withholding and deductions and to Nicole Whitley and Katelyn Oldham, Attorney at Law in the amount of \$146,308.80.
- b. Risk Management Services will execute a 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 lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **APR 07 2010**

Mayor Sam Adams

Prepared by Becky Chiao

Date prepared: March 19, 2010

**LaVONNE GRIFFIN-VALADE**

Auditor of the City of Portland

By



Deputy

483

Agenda No.  
**ORDINANCE NO. 183671**  
 Title

\* Pay claim of Nicole Whitley (Ordinance)

<b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>APR 02 2010</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy ACTION TAKEN:
<b>BUREAU APPROVAL</b> Bureau: OMF/Risk Management Services Bureau Head: Jeff Baer, Director BIBS Kate Wood, Risk Mgr	
Prepared by: Becky Chiao Date Prepared: 3/17/10	
Financial Impact Statement <u>X</u> Completed ___ Amends Budget ___ Not Required	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. ___ Yes <u>X</u> No	
Council Meeting Date April 7, 2010	
<b>City Attorney Approval</b>	

<b>AGENDA</b> <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR X</b> Total amount of time needed: <u>15 minutes</u> (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. Leonard	4. Leonard	✓	
Adams	Adams	_____	