

ORDINANCE No. **184061**

\*Pay claim of Carol Kitching. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Carol Kitching has filed a bodily injury claim against the City for damages suffered in an accident involving the Parks on January 31, 2009.
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 \$25,000.00, 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 a check in the amount of \$25,000.00 made payable to Carol Kitching and John O'Brien Jr, Attorney at Law.
- 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, **AUG 18 2010**


Mayor Sam Adams  
Prepared by Becky Chiao  
Date prepared: June 28, 2009

**LaVONNE GRIFFIN-VALDE**  
Auditor of the City of Portland

By   
Deputy

Agenda No.  
**ORDINANCE NO. 184061**  
 Title

\* Pay claim of Carol Kitching (Ordinance)

<p><b>INTRODUCED BY</b>                  Commissioner/Auditor:                  Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>AUG 13 2010</u></p>
<p><b>COMMISSIONER APPROVAL</b>                  Mayor—Finance and Administration – Adams</p>	<p style="text-align: center;">LaVonne Griffin-Valade                  Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> <p><b>ACTION TAKEN:</b></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><b>BUREAU APPROVAL</b>                  Bureau:                  OMF/Risk Management Services                  Bureau Head: Jeff Baer, Director BIBS                  Kate Wood, Risk Mgr</p>	
<p>Prepared by: Becky Chiao                  Date Prepared: July 28, 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                  August 18, 2010</p>	
<p><b>City Attorney Approval</b></p>	

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

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	✓	