

**RESOLUTION No. 36893**

Authorize City Attorney's Office to take action, including initiation of legal proceedings, to recover legal defense costs. (Resolution)

WHEREAS, the City's excess insurance policy provides that defense costs are included in the self-insured retention that is part of the policy; and

WHEREAS, the City's Office of Risk Management has been seeking reimbursement of defense costs incurred in litigation in which the City has been involved under the terms of its excess insurance policy; and

WHEREAS, the excess insurance carrier has declined to accept certain defense costs as part of the retention;

NOW, THEREFORE, BE IT RESOLVED that the City Attorney or her designee, whether through the City Attorney's Office or through counsel specially employed for that purpose, is authorized to initiate legal proceedings to recover defense costs incurred by the City under the terms of its excess insurance policy.

Adopted by the Council: JAN 04 2012

Mayor Sam Adams

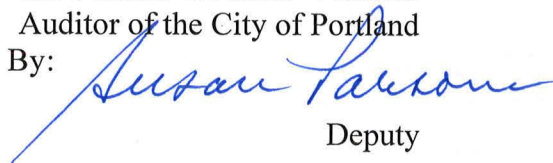
Prepared by: Linda Meng

Date Prepared: December 19, 2011

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By:



Deputy

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</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></p> <p>Bureau: City Attorney's Office Bureau Head: Linda Meng</p> <p>Prepared by: Linda Meng:ks Date Prepared: December 19, 2011</p> <p>Financial Impact Statement &amp; 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. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date <b>January 4, 2012</b></p> <p>City Attorney Approval <i>lm</i></p>	<p>CLERK USE: DATE FILED <u>DEC 29 2011</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<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 ✓	