

**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 Tienson, 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.

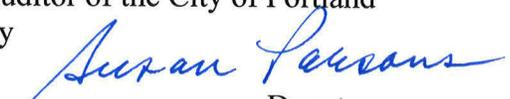
Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUN 05 2013

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

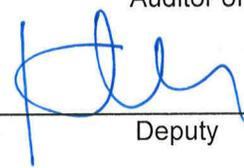
**LaVONNE GRIFFIN-VALADE**  
Auditor of the City of Portland

By

  
Deputy

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

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>MAY 31 2013</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <span style="float: right;">(Bu)</span></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF/Bureau of Internal Business Services/Risk Management OMF CAO: Jack D. Graham <span style="float: right;">[Signature]</span> Bureau Head: Bryant M. Enge <span style="float: right;">[Signature]</span> Risk Manager: Kate Wood <span style="float: right;">KW</span></p> <p>Prepared by: Mark M. Stairiker Date Prepared: May 9, 2013</p> <p>Financial Impact &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 June 5, 2013</p> <p><b>City Attorney Approval</b> Required for contract, code, easement, franchise, comp plan, charter</p>	<p><b>ACTION TAKEN:</b></p>

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p><b>Start time:</b></p> <p><b>Total amount of time needed:</b> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" 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. Novick	4. Novick ✓	
Hales	Hales _____	