

**ORDINANCE No. 186368 As Amended**

\*Pay claim of American Independent Insurance Company in the sum of \$7,558 involving the Water Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. AIIC, through Praxis Consulting, has filed a subrogation claim against the City to collect medical payments paid to their insured arising out of a motor vehicle accident involving the Water Bureau on November 14, 2011.
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 arbitration award, we feel it is prudent to compromise the lawsuit at this time.
3. Risk Management Services recommends the claim be compromised for the total sum of \$7,558.33, 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 \$7,558.33 made payable to Praxis Consulting (third party representative for American Independent Insurance Company.)
- 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,

DEC. 04 2013

Mayor Charlie Hales  
Prepared by John Buehler  
Date prepared: October 29, 2013

**LaVONNE GRIFFIN-VALDE**

Auditor of the City of Portland

By

  
Deputy

1151

Agenda No.  
**ORDINANCE NO.**  
 Title

140  
186368 As Amended

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<b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED <u>NOV 26 2013</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland  By: <u>[Signature]</u> Deputy
<b>BUREAU APPROVAL</b> Bureau: OMF Bureau of Internal Business Services OMF CAO: Jack D. Graham Bureau Head: Bryant M. Engle Risk Manager: Kate Wood  Prepared by: John Buehler Date Prepared: November 5, 2013  Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>  Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>City Auditor Office Approval:</b> required for Code Ordinances  <b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter  Council Meeting Date December 4, 2013	<b>ACTION TAKEN:</b>

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