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191617

(Emergency Ordinance)

*Pay property damage claims of Nikayla Banks for $6,520 and Steven Cameron for $5,821 resulting from a motor vehicle collision involving the Portland Police Bureau

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Nikayla Banks and Steven Cameron, and their insurers State Farm Insurance and Geico Insurance have claims against the City for damages resulting from a motor vehicle collision involving the Portland Police Bureau on January 15, 2023.

2. The claims have 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, it is prudent to compromise the claims at this time.

3. Risk Management Services recommends the claims be compromised as follows: Nikayla Banks for a total sum of $6,520.45 with the amount of $5,833.88 still due and Steven Cameron for a total sum of $5,820.73.

NOW, THEREFORE, the Council directs:

A. The Mayor and Auditor are hereby authorized to draw and deliver a check in the amount of $5,833.88 payable to "Shumsky & Backman as attorneys for State Farm" and a check in the amount of $5,820.73 payable to Geico Insurance.

B. Risk Management Services will execute the 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 these property damage claims; therefore,

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance](#); [Revenue and Financial Services](#); [Risk Management](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date
February 7, 2024

this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
February 7, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This Ordinance settles two property damage claims brought by Nikayla Banks and Steven Cameron, resulting from a vehicle collision in southeast Portland.

Financial and Budgetary Impacts

This legislation will have no impact on City revenue.

Total cost to the City to settle the claims is $12,341.18. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

Community Impacts and Community Involvement

This Ordinance settles two tort claims resulting from a chain collision involving the Portland Police Bureau. No public involvement or input was sought regarding this Ordinance. The City Attorney's Office and Risk Management have concluded that it is not appropriate to have public involvement in settlement negotiations regarding tort claims or lawsuits against the City.

No future public involvement is anticipated or necessary. Approval by City Council of this Ordinance will fully settle a tort claim against the City of Portland.

100% Renewable Goal

This legislation will have no impact on City energy use.

Budget Office Financial Impact Analysis

This action authorizes payments totaling $12,341.18 to two parties for damages incurred from a motor vehicle collision with Portland Police Bureau. Payments will be paid from the City's Insurance and Claims Fund current year budget. No additional resources are required as a result of this action.

Agenda Items

117 Consent Agenda in [February 7, 2024 Council Agenda (https://www.portland.gov/council/agenda/2024/2/7)](https://www.portland.gov/council/agenda/2024/2/7)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea