

Agenda No.

ORDINANCE NO. **165144**

Title

*Pay claim of Julianne Spears. (Ordinance)

INTRODUCED BY	Filed: FEB 28 1992
Mayor J. E. Bud Clark	Barbara Clark Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs	
Finance and Administration <i>J. E. Bud Clark</i>	<i>Cay Kershner</i> Deputy
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: Administrative Services	
Prepared by Date 2-18-92 Teresa Gooley <i>Teresa Gooley</i>	
Budget Impact Review: <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not Required	
Bureau Head: Stephen C. Bauer F.C. <i>R. B.</i>	
	For Meeting of: Action Taken: <input type="checkbox"/> Amended <input type="checkbox"/> Passed to Second Reading <input type="checkbox"/> Continued to:

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent <input checked="" type="checkbox"/>	Regular	Blumenauer	Blumenauer	<input checked="" type="checkbox"/>	
NOTED BY		Bogle	Bogle	<input checked="" type="checkbox"/>	
City Attorney		Kafoury	Kafoury	<input checked="" type="checkbox"/>	
City Auditor		Lindberg	Lindberg	<input checked="" type="checkbox"/>	
City Engineer		Clark	Clark	<input checked="" type="checkbox"/>	

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

Passed by the Council, **MAR 04 1992**


Mayor J. E. Bud Clark
Teresa Gooley:DM
February 18, 1992

Page 2 of 2

BARBARA CLARK

Auditor of the City of Portland

By

 Deputy

ORDINANCE NO. **165144**

*Pay claim of Julianne Spears (Ordinance)

The City of Portland ordains:

Section 1. the Council finds:

1. Julianne Spears, through her attorney, has made a claim for personal injuries and property damage in excess of \$13,870.75 resulting from a motor vehicle collision with a City employee on January 3, 1991 at northwest 24th and Vaughn Street, Portland, Oregon.
2. The lawsuit has been investigated by the Risk Management Division and also the City Attorney's Office, and it appears that there is substantial risk that the City would be found liable: and that it is prudent to settle the lawsuit in order to avoid full liability therefore and further costs of defense and litigation.
3. Risk Management recommends that the lawsuit be settled for \$13,870.75, subject to the plaintiff 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 Auditor are authorized to draw and deliver a warrant in the amount of \$12,000 made payable to Julianne Spears, and Robert C. Dougherty, Attorney at Law, as settlement in full of all claims for damages upon receipt of a Release approved by the City Attorney. A second warrant in the amount of \$ 1,870.75 will be issued to Allstate Insurance Company to cover the PIP lien, loss of use, storage charges, and towing.
- b. Risk Management will execute payment authorizations in the amounts set forth in subparagraph (a) above.