

RESOLUTION NO. 1858

A RESOLUTION DELEGATING AUTHORITY TO RESOLVE CERTAIN CLAIMS TO THE CITY ADMINISTRATOR

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. From time to time claims are filed against the City for property damage or injuries that citizens believe the City is responsible for.
2. Claims covered by the City's insurance policy are referred to the City's insurance carrier.
3. The City Council desires to establish a procedure for resolving certain claims that are either not covered by the City's insurance policy or are denied by the City's insurance carrier.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The City Administrator is hereby authorized to resolve claims made against the City after taking the following circumstances into account:

- A. The claim is not covered by the City's insurance policy or is denied by the City's insurance carrier.
- B. The claimant has made a claim to his/her own insurance carrier and/or any responsible third party.
- C. The claim against the City does not exceed the total monetary loss experienced by the claimant less any amount paid by claimant's insurance or other involved parties.
- D. The claimant's action or inaction was not the primary cause of the damages or injury that is the basis for the claim.
- E. The claim is due to the malfunction of City owned and maintained equipment or facilities.
- F. The amount of the claim does not exceed \$5,000.
- G. The claimant provides documentation of the loss incurred.
- H. The claimant signs a claim release in a form approved by the City.


Section 2. The City Administrator may delegate the authority granted in Section 1 to one or more other staff members.

Section 3. This resolution is effective immediately upon adoption.

YEAS: 7
NAYS: 0
ABSTAINED: 0


Paul A. Thalhofer, Mayor

Date February 28, 2007


Debbie Stickney, City Recorder

Adopted: February 27, 2007