

**FINANCIAL IMPACT STATEMENT
For Council Action Items**

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Randy Stenquist		2. Telephone Number 503-823-6000		3. Bureau/Office/Department OMF/Risk Management	
4a. To be filed (date) October 1, 2009	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>			5. Date Submitted to FPD Budget Analyst September 23, 2009	

1) **Legislation Title:** Pay Claim of Angela Kolski.

2) **Purpose of the Proposed Legislation:** This ordinance will close OMF Risk Management File No. G2008-0236-01 for a total of \$27,500.00. Please see memorandum for detail.

3) Revenue:

Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If new revenue is generated please identify the source.

This legislation will have no impact on City revenue.

4) Expense:

What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years) (If the action is related to a grant or contract please include the local contribution or match required)

Cost to the City is \$27,500.00. The source of funding is the City's Insurance and Claims Fund. All cost is in the current fiscal year.

Staffing Requirements:

5) Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? (If new positions are created please include whether they will be part-time, full-time, limited term or permanent positions. If the position is limited term please indicate the end of the term.)

No.

6) Will positions be created or eliminated in future years as a result of this legislation?

No.

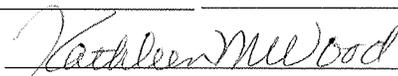
Complete the following section only if an amendment to the budget is proposed.

7) Change in Appropriations (If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Center Code column if new center needs to be created. Use additional space if needed.)

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Amount

Jeff Baer, Director, BIBS _____

Kate Wood, Risk Manager _____





CITY OF PORTLAND, OREGON

Office of Management and Finance Risk Management Services

Sam Adams, Mayor
Kate Wood, Risk Manager
1120 S.W. Fifth Avenue, Room 709 • Portland, OR 97204-1912
Phone: 503-823-5101 • Fax: 503-823-6120
www.portlandonline.com

DATE: September 14, 2009

TO: Mayor Sam Adams

FROM: Randy Stenquist
503-823-6000

FOR MAYOR'S OFFICE USE ONLY

Reviewed by Bureau Liaison _____

RE: Pay Claim of Angela Kolski (emergency)

1. **INTENDED THURSDAY FILING DATE:** October 1, 2009
2. **REQUESTED COUNCIL AGENDA DATE:** October 7, 2009
3. **CONTACT NAME & NUMBER:** Randy Stenquist, 503-823-6000
4. **PLACE ON:** CONSENT REGULAR
5. **BUDGET IMPACT STATEMENT ATTACHED:** Y N N/A
6. **(3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED:** Yes No N/A

7. BACKGROUND/ANALYSIS

In June 2007, Angela Kolski contacted the Portland Police for help with concerns she had about custody and safety matters related to her child. A Portland Police officer arrived at Kolski's apartment, and began having repeated contacts with Ms. Kolski, both in person at her home, and using his city-issued cell phone. Within weeks the police officer had sexual encounters with Ms. Kolski on two separate occasions while on duty and in uniform. In a subsequent call to the Portland Police in September 2007, Ms. Kolski stated to a different officer that she was being stalked by a Portland Police officer.

A criminal investigation into the actions of the first police officer commenced, and he was ultimately indicted by a grand jury. In January 2008, this officer pled guilty to one charge of official misconduct, and resigned from the police bureau and revoked his police certification. Ms. Kolski's attorney filed a tort claim notice days later, alleging abuse of power by the officer and negligent hiring and supervision by the City. Risk Management has negotiated a settlement agreement to dismiss all claims against the City in exchange for \$27,500. This amount is substantially less than the cost of defending a lawsuit in court, regardless of the outcome at trial.

8. FINANCIAL IMPACT

Approval of the settlement would result in a payment of \$27,500.00 from the liability fund.

9. RECOMMENDATION/ACTION REQUESTED

Submit the attached Ordinance for approval by City Council as an emergency ordinance.