

Portland, Oregon

# FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Randy Stenquist		2. Telephone No. 503-823-6000	3. Bureau/Office/Dept. OMF/Risk Management
4a. To be filed (hearing date): October 6, 2012	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: September 28, 2011
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) **Legislation Title:** \*Pay Claim of Catherine Schutz, involving Portland Fire Bureau (Ordinance).

2) **Purpose of the Proposed Legislation:**

This ordinance will close OMF Risk Management File No. F2012-5013-01 for a total of \$12,750.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- |  |                                    |                                    |                                |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast             | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East  |
| <input type="checkbox"/> Central City                  |                                    |                                    |                                |

## FINANCIAL IMPACT

4) **Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

This legislation will have no impact on City revenue.

5) **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. If there is a project estimate, please identify the **level of confidence**.)

Cost to the City is \$12,750. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.

**6) Staffing Requirements:**

- **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.

- **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 Fund Center column if new center needs to be created. Use additional space if needed.)*

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☐ YES: Please proceed to Question #9.

☒ NO: Please, explain why below; and proceed to Question #10.

This Ordinance settles a tort claim filed against the City of Portland by Catherine Schutz. 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.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

c) How did public involvement shape the outcome of this Council item?

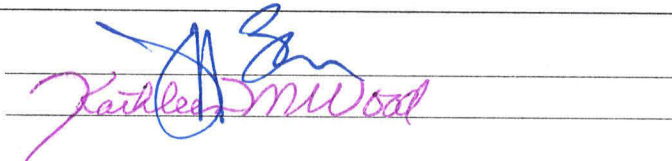
d) Who designed and implemented the public involvement related to this Council item?

e) Primary contact for more information on this public involvement process (name, title, phone, email):

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

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.

Jeff Baer, Director, BIBS  
Kate Wood, Risk Manager



APPROPRIATION UNIT HEAD (Typed name and signature)



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**CITY OF PORTLAND, OREGON****Office of Management and Finance  
Risk Management Services**

Sam Adams, Mayor  
Kate Wood, Risk Manager  
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[www.portlandonline.com](http://www.portlandonline.com)

**DATE:** September 20, 2011

**TO:** Mayor Sam Adams

**FROM:** Randy Stenquist  
503-823-6000

**FOR MAYOR'S OFFICE USE ONLY**

Reviewed by Bureau Liaison \_\_\_\_\_

**RE:** \*Pay Claim of Catherine Schutz, involving Portland Fire Bureau (Ordinance)

1. **INTENDED THURSDAY FILING DATE:** October 6, 2012
2. **REQUESTED COUNCIL AGENDA DATE:** October 12, 2012
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**

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**7. BACKGROUND/ANALYSIS**

Catherine Schutz is the owner of a 2004 Volvo S60R, and her vehicle had been legally parked at the curb adjacent to her Saint Johns area home on August 27, 2011. At approximately 10:40 AM that day, a Portland Fire Bureau ladder truck, while out on a call, was making a left turn onto North Leavitt Avenue from North Leonard Street. The streets in this location are typically narrow, with parking allowed along both curbs. The fire truck is exceptionally long, and requires the use of a secondary operator at the rear of the vehicle to steer the back end. As the fire truck began its left turn movement, it encountered another vehicle approaching it and the intersection. The driver of this vehicle stopped his car before the intersection to allow the fire truck room to negotiate the turn. Once the front end of the truck completed the turning movement, the other vehicle continued slowly toward the uncontrolled intersection. The Fire Bureau operator steering the back of the truck observed this car moving toward the fire truck, and he steered the back end suddenly to the right in an effort to avoid the car. In doing so, the Fire Bureau operator overcorrected, and the back end of the truck struck the left rear portion of Ms. Schutz' parked vehicle, substantially damaging it.

Risk Management has had the Schutz vehicle appraised, and it is a total loss. Using the appraiser's evaluation along with our own research, Risk has negotiated a settlement of \$12,750 to resolve Catherine Schutz' claim against the City.

**8. FINANCIAL IMPACT**

Approval of the settlement would result in a payment of \$12,750 from the liability fund.

**9. RECOMMENDATION/ACTION REQUESTED**

Approve settlement of Catherine Schutz property damage claim in the sum of \$12,750.

Please notify the City of Portland no less than five (5) business days prior to events for ADA accommodation at 503-823-5101, TTY at 503-823-6868, or by the Oregon Relay Service at 1-800-735-2900.

*Equal Employment Opportunity and Affirmative Action Employer*