

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator John Buehler		2. Telephone No. 503-823-5256	3. Bureau/Office/Dept. OMF/Risk Management
4a. To be filed (hearing date): 02/28/2013	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst:
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 PGE, involving Bureau of Transportation. (Ordinance)

2) Purpose of the Proposed Legislation:

This ordinance will close OMF Risk Management File No. G2012-0049-02 for a total of \$ 15,500.

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 \$15,500. 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.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[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 PGE. 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.

Bryant Enge, Director, BIBS
Kate Wood, Risk Manager



APPROPRIATION UNIT HEAD (Typed name and signature)



185910

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

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DATE: February 11, 2013**TO:** Mayor Charlie Hales**FROM:** John Buehler
503-823-5256**FOR MAYOR'S OFFICE USE ONLY**

Reviewed by Bureau Liaison _____

RE: *Pay claim of PGE, involving Bureau of Transportation (Ordinance)

1. INTENDED THURSDAY FILING DATE: 2/28/2013
2. REQUESTED COUNCIL AGENDA DATE: 3/6/2013
3. CONTACT NAME & NUMBER: John Buehler, 503-823-5256
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

On September 1, 2011, the Bureau of Transportation had a locate request from PGE for the corner of SE 86th and Stark, where PGE was replacing a utility pole. PGE was informed no city utilities were in the ground at the locate site. When PGE drilled at the site for the new pole, they hit the sewer lateral for the building at the corner. This resulted in damage to the adjoining property and to PGE facilities. The property owner's claim was previously settled by Risk Management.

PGE later submitted a detailed invoice to the City for recovery of their expenses. Risk Management has reviewed the invoice and spoken with PGE about the charges. Risk Management believes these charges are reasonable and appropriate, and we feel this bill should be paid, as the damages are a direct result of the City's failure to locate the city sewer pipe. The invoice totals \$15,500.

8. FINANCIAL IMPACT

Approval of the settlement would result in a payment of \$15,500 from the liability fund.

9. RECOMMENDATION/ACTION REQUESTED

Approve settlement of PGE Property damage Claim in the sum of \$15,500.