

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to City Budget Office. 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 16, 2013	4b. Calendar (Check One) <div style="display: flex; justify-content: space-around;"> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/> </div>		5. Date Submitted to Commissioner's office and CBO 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 Rodolfo Ortega in the sum of \$36,484 involving the Bureau of Transportation / Maintenance Operations (Ordinance)

2) Purpose of the Proposed Legislation:

This ordinance will close OMF Risk Management File No. G2013-0295-03

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 \$36,484.33. 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 Rodolfo Ortega. 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.

Bryant Enge, Director, BIBS
 Kate Wood, Risk Manager



APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF PORTLAND, OREGON

Office of Management and Finance Risk Management Services

Charlie Hales, Mayor
Kate Wood, Risk Manager
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DATE: October 2, 2013
TO: Mayor Charlie Hales
FROM: Randy Stenquist
503-823-6000

FOR MAYOR'S OFFICE USE ONLY

Reviewed by Bureau Liaison _____

RE: *Pay claim of Rodolfo Ortega in the sum of \$36,484 involving the Bureau of Transportation / Maintenance Operations. (Ordinance)

1. **INTENDED WEDNESDAY FILING DATE:** October 16, 2013
2. **REQUESTED COUNCIL AGENDA DATE:** October 30, 2013
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

Rodolfo Ortega owns a home at 2916 SE 85th Avenue. On April 15, 2013 at approximately 2:30 PM his home and a house across the street experienced backups of sewage into their basement areas. The backups occurred while crews from PBOT Maintenance Operations were performing routine cleaning of the sewer mains in the neighborhood. Crews had spent much of the day doing preventive maintenance jetting and vactoring of the eight-inch main, and were finishing the segment just upstream from Mr. Ortega's home before ending their day. Crews had noted during the day areas of heavy grease in the lines in this neighborhood, though the source(s) could not be identified. It is believed that crews dislodged some grease or other solid debris in the line with their equipment, and this grease or debris slipped past the normal point of collection in the next downstream manhole, and traveled down to the next sewer main line segment, where it plugged the main. The significant volume of water used in the jetting operation had nowhere to go but up the laterals of the two lowest-elevation laterals on the block.

Mr. Ortega's basement took on approximately 1900 gallons of sewage. Emergency restoration crews later arrived to clean up, dry out, pack up and store contents. An affiliated contractor has submitted bids to restore the basement space to its pre-loss condition. Appliances, including a furnace, water heater and washer/dryer were destroyed and replaced.

8. FINANCIAL IMPACT

Approval of the settlement would result in a payment of \$36,484.33 from the liability fund.

9. RECOMMENDATION/ACTION REQUESTED

Approve settlement of Rodolfo Ortega property damage claim in the sum of \$36,484.33.