

**IMPACT STATEMENT**

**Legislation title:** \*Pay settlement of Armando Olivas bodily injury lawsuit, in the sum of \$65,000 involving the Bureau of Transportation (Ordinance)

**Contact name:** Becky Chiao  
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**Presenter name:** Becky Chiao

**Purpose of proposed legislation and background information:**

This Ordinance approves a negotiated settlement of a bodily injury lawsuit brought on behalf of Armando Olivas by attorney Scott Kocher at the Forum Law Group LLC. Olivas was injured when hit by a vehicle and thrown off a bicycle while crossing at a marked crosswalk at NE Marine Drive and NE 112<sup>th</sup> Avenue on December 20, 2014. The suit claims that the City of Portland is responsible for the injuries suffered by Olivas, who was 17 years-old at the time, because crosswalk beacons at the intersection were switched off inside a metal box that was left unlocked. The driver of the vehicle, who was not a city employee, was insured and entered into a separate settlement agreement with Olivas.

**Financial and budgetary impacts:**

This legislation will have no impact on City revenue.

Total cost to the City to settle the claim is \$65,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

**Community impacts and community involvement:**

This Ordinance settles a lawsuit involving the Bureau of Transportation. No public involvement or input was sought regarding this Ordinance. 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.

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.

**Budgetary Impact Worksheet****Does this action change appropriations?**

- YES:** Please complete the information below.  
 **NO:** Skip this section

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