

FINANCIAL IMPACT STATEMENT For Council Action Items

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

| | | | |
|---|--|--|--|
| 1. Name of Initiator Becky Chiao | | 2. Telephone Number 503-823-6124 | 3. Bureau/Office/Department OMF/Risk Management |
| 4a. To be filed (date) October 28, 2010 | 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 FPD Budget Analyst October 20, 2010 |

1) Legislation Title: *Pay Claim of Jesse Porter.**2) Purpose of the Proposed Legislation:** This ordinance will close OMF Risk Management File No. G2009-8005-01 for a total of \$32,000.00.**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 \$32,000.00. The sources of funding are the bureau payroll account (\$5,000) and the City's Insurance and Claims Fund (\$27,000).

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.

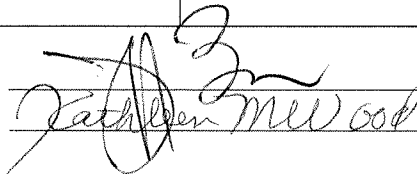
6) Will positions be created or eliminated in future years as a result of this legislation?

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



APPROPRIATION UNIT HEAD (Typed name and signature)



184202

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

Sam Adams, Mayor
Kate Wood, Risk Manager
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DATE: October 19, 2010**TO:** Mayor Sam Adams**FROM:** Becky Chiao
503-823-6124**FOR MAYOR'S OFFICE USE ONLY**

Reviewed by Bureau Liaison _____

RE: *Pay Claim of Jesse Porter (emergency)

1. **INTENDED THURSDAY FILING DATE:** October 28, 2010
2. **REQUESTED COUNCIL AGENDA DATE:** November 3, 2010
3. **CONTACT NAME & NUMBER:** Becky Chiao, 503-823-6124
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

This lawsuit claims that Mr. Porter was subjected to unfair performance expectations and ultimately fired unlawfully based upon his race and in retaliation for his making a complaint of discrimination. The City disputes these claims but after mediation, Risk Management and the City Attorney's officer recommend a compromise settlement of the case in lieu of trial.

8. FINANCIAL IMPACT

Approval of the settlement would result in a \$5,000.00 payment from OMF payroll and a payment of \$27,000.00 from the liability fund.

9. RECOMMENDATION/ACTION REQUESTED

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