

## FINANCIAL IMPACT STATEMENT For Council Action Items

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

1. Name of Initiator <b>Becky Chiao</b>		2. Telephone Number <b>503-823-6124</b>	3. Bureau/Office/Department <b>OMF/Risk Management</b>
4a. To be filed (date) <b>May 5, 2011</b>	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to FPD Budget Analyst <b>April 27, 2011</b>

1) **Legislation Title:** \*Pay Claim of Thomas Winters, involving Bureau of Technology Services.

2) **Purpose of the Proposed Legislation:** This ordinance will close OMF Risk Management File No. G2010-8013-01 for a total of \$17,501.

**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 \$17,501. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.

**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?**

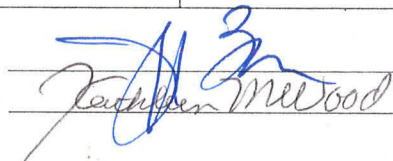
No.

**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)



# CITY OF PORTLAND, OREGON

## Office of Management and Finance Risk Management Services

Sam Adams, Mayor  
Kate Wood, Risk Manager  
1120 S.W. Fifth Avenue, Room 709 • Portland, OR 97204-1912  
Phone: 503-823-5101 • Fax: 503-823-6120  
[www.portlandonline.com](http://www.portlandonline.com)

DATE: April 19, 2011  
TO: Mayor Sam Adams  
FROM: Becky Chiao  
503-823-6124

### FOR MAYOR'S OFFICE USE ONLY

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

RE: \*Pay Claim of Thomas Winters, involving Bureau of Technology Services (emergency)  
1. INTENDED THURSDAY FILING DATE: May 5, 2011  
2. REQUESTED COUNCIL AGENDA DATE: May 11, 2011  
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

Mr. Winters brought a lawsuit against the City after being discharged from his position as an Information Systems Analyst II in October 2009. Although the City disputes his claim that his termination was the result of race and gender discrimination, we reached a settlement agreement with Mr. Winters during mediation which, if approved by City Council, would result in dismissal of the lawsuit, in return for a payment of \$17,501.00 inclusive of all lost wages, non-economic damages, attorney's fees and costs.

## 8. FINANCIAL IMPACT

Approval of the settlement would result in a payment of \$17,501 from the liability fund.

## 9. RECOMMENDATION/ACTION REQUESTED

Approve settlement of Thomas Winters employment discrimination lawsuit in the sum of \$17,501.