

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

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

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|---|---|---|--|
| 1. Name of Initiator John Buchler | | 2. Telephone No. 503-823-5256 | 3. Bureau/Office/Dept. OMF/Risk Management |
| 4a. To be filed (hearing date): July 14, 2011 | 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: July 6, 2011 |
| 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 Kristin Bouthillier, involving Portland Police Bureau (Ordinance).

2) **Purpose of the Proposed Legislation:**

This ordinance will close OMF Risk Management File No. F2010-5024-02 for a total of \$12,886.40.

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 \$12,886.40. 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 |
|------|-------------|-----------------|-----------------|----------------|-------|-------------------|--------|
| | | | | | | | |
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[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.

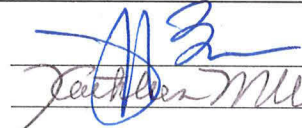
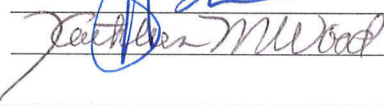
This Ordinance settles a tort claim filed against the City of Portland by Kristin Bouthillier. The City Attorney's Office and Risk Management have concluded that it is not appropriate to have public involvement in settlement negotiations regarding tort claims or lawsuits against the City.

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.

| | |
|--|--|
| 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
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DATE: July 6, 2011
TO: Mayor Sam Adams
FROM: John Buehler
503-823-5256 *JB*

FOR MAYOR'S OFFICE USE ONLY

Reviewed by Bureau Liaison _____

RE: Pay Claim of Kristin Bouthillier, involving Portland Police Bureau (Ordinance)

1. INTENDED THURSDAY FILING DATE: July 14, 2011, 2011
2. REQUESTED COUNCIL AGENDA DATE: July 20, 2011
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

This Ordinance settles a fleet bodily injury claim for the sum of \$12,886.40. Ms. Bouthillier's claim is based on an automobile collision that occurred on September 4, 2009, at the intersection of E. Burnside and SE 47th Avenue. Ms. Bouthillier was a passenger in a vehicle driven by her husband. Their vehicle was eastbound on E. Burnside with a green light at the intersection with 47th Avenue. A Portland Police Bureau officer was northbound on SE 47th. The officer, with lights and siren activated, attempted to clear the intersection against the red light. Unfortunately, due to the way E. Burnside curves at the approach to the intersection, neither driver was able to see the other until immediately before they collided.

The \$12,886.40 settlement amount is to settle both the subrogation claim by Farmers Insurance for no-fault medical and wage loss benefits it provided (\$6,586.40); and the noneconomic damages claim (plus some uninsured wage loss) directly to Ms. Bouthillier in the sum of \$6,300. Risk Management has advanced \$5,000 toward her \$6,300 total.

8. FINANCIAL IMPACT

Approval of the settlement would result in a payment of \$12,886.40 from the liability fund.

9. RECOMMENDATION/ACTION REQUESTED

Approve settlement of Bouthillier tort claim in the sum of \$12,886.40.