

Portland, Oregon

# FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Becky Chiao		2. Telephone No. 503-823-6124	3. Bureau/Office/Dept. OMF/Risk Management
4a. To be filed (hearing date): 12/26/2012	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD 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 Lesley Barnes, involving Fire Bureau. (Ordinance)

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

This ordinance will close OMF Risk Management File No. F2010-5068-01 for a total of \$6,600.60.

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 \$6,200.60. The amount of \$4,000 to be paid as a result of this ordinance. The sum of \$2,600.60 has already been paid. The source of funding is the City's Insurance and Claims Fund. The cost of this ordinance 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.)*

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>

**[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 Lawsuit filed against the City of Portland by Jeffrey Bowersox. 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 Lawsuit against the City of Portland.

Bryant Enge, Director, BIBS

Kate Wood, Risk Manager

*Kate Wood By MMS*

APPROPRIATION UNIT HEAD (Typed name and signature)



185843

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

Sam Adams, Mayor

Kate Wood, Risk Manager

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[www.portlandonline.com](http://www.portlandonline.com)

DATE: December 19, 2012

TO: Mayor Sam Adams

FROM: Becky Chiao  
503-823-6124**FOR MAYOR'S OFFICE USE ONLY**

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

RE: \*Pay claim of Lesley Barnes, involving Fire Bureau (Ordinance)

1. INTENDED WEDNESDAY FILING DATE: 12/26/2012

2. REQUESTED COUNCIL AGENDA DATE: 1/2/2013

3. CONTACT NAME &amp; NUMBER: Becky Chiao, 503-823-6124

4. PLACE ON: ☒ CONSENT ☐ REGULAR5. BUDGET IMPACT STATEMENT ATTACHED: ☒ Y ☐ N ☐ N/A6. (3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY  
ATTORNEY ATTACHED: ☐ Yes ☐ No ☒ N/A**7. BACKGROUND/ANALYSIS**

This ordinance would settle a lawsuit brought in state court by Ms. Lesley Barnes against the City of Portland for bodily injury suffered when her vehicle was struck from the rear by a vehicle driven by a Portland Fire Inspector on December 10, 2009. Previously, payment was made to Ms. Barnes' insurance company State Farm to reimburse them for payments they made to pay for medical bills and car repairs. This settlement amount of \$4000 will be paid to Ms. Barnes and her attorney Jeffrey Bowersox for non-economic damages including pain and suffering.

**8. FINANCIAL IMPACT**

Approval of the settlement would result in a payment of \$4,000 from the liability fund.

**9. RECOMMENDATION/ACTION REQUESTED**

Approve settlement of Lesley Barnes bodily injury lawsuit in the sum of \$4,000.