

Portland, Oregon

## FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to City Budget Office. 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):  August 21, 2013	4b. Calendar (Check One)  <div style="display: flex; justify-content: space-around;"> <span>Regular <input type="checkbox"/></span> <span>Consent <input checked="" type="checkbox"/></span> <span>4/5ths <input type="checkbox"/></span> </div>		5. Date Submitted to Commissioner's office and CBO 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 Judy Loschiavo in the sum of \$13,100 involving the Bureau of Environmental Services. (Ordinance)

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

This ordinance will close OMF Risk Management File No. G2013-0368-01

**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 \$13,100. The source of funding is the City's Insurance and Claims Fund. All costs of the settlement are 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

[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 Judy Loschiavo. 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?**

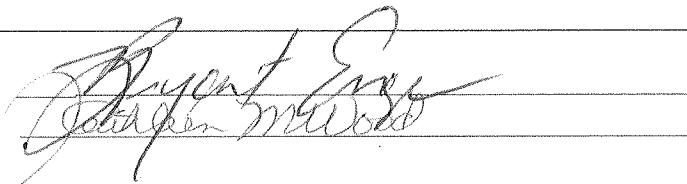
**d) Who designed and implemented the public involvement related to this Council item?**

**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.

Bryant Enge, Director, BIBS  
Kate Wood, Risk Manager



APPROPRIATION UNIT HEAD (Typed name and signature)



186209

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

Charlie Hales, 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:** August 13, 2013  
**TO:** Mayor Charlie Hales  
**FROM:** Becky Chiao  
503-823-6124

**FOR MAYOR'S OFFICE USE ONLY**

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

**RE: \*Pay claim of Judy Loschiavo in the sum of \$13,100 involving the Bureau of Environmental Services. (Ordinance)**

1. **INTENDED WEDNESDAY FILING DATE:** August 21, 2013
2. **REQUESTED COUNCIL AGENDA DATE:** September 4, 2013
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**

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**7. BACKGROUND/ANALYSIS**

In the early morning of May 27, 2013 the sewer back-up into the basement of 5630 SE Harold Street in Portland Oregon. A plumber hired by the property owner and City crews confirmed that the problem was in the main portion of the sewer which was subsequently repaired. Upon further investigation by BES it was established that the main sewer had multiple service connection problems that were known but not addressed until the backup occurred.

The basement of the house was damaged by the sewage discharge and much of the property stored in the basement was as well. Judy Loschiavo filed a claim against the City. Risk Management accepted her claim for reimbursement for the damaged property and contractor costs. Because the amount is more than \$5000, we need City Council approval to pay the amount of \$13,100 to settle the claim in full.

**8. FINANCIAL IMPACT**

Approval of the settlement would result in a payment of \$13,100 from the liability fund.

**9. RECOMMENDATION/ACTION REQUESTED**

Approve settlement of Judy Loschiavo property damage claim in the sum of \$13,100.