

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):  June 4, 2014	4b. Calendar (Check One)  <div style="display: flex; justify-content: space-around;"> <span>Regular <input checked="" type="checkbox"/></span> <span>Consent <input 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 Kathryn Elise Johns in the sum of \$30,000, involving the Portland Police Bureau. (Ordinance)

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

This ordinance will close OMF Risk Management File No. G2012-8012-01 for a total of \$30,000.

**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 \$30,000. The bureau will pay for \$1500 of the settlement allocated to wages. The source of funding for the remaining \$28,500 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

**[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 Kathryn Elise Johns. 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



APPROPRIATION UNIT HEAD (Typed name and signature)



**CITY OF PORTLAND**  
OFFICE OF MANAGEMENT AND FINANCE

Charlie Hales, Mayor  
Fred Miller, Interim Chief Administrative Officer  
Bryant Enge, Director, Bureau of Internal Business Services

Kate Wood, Manager  
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DATE: May 9, 2014

TO: Mayor Charlie Hales

FOR MAYOR'S OFFICE USE  
ONLY

FROM: Bryant Enge, Director of Internal Business Services  
Becky Chiao 503-823-6124

RE: \*Pay claim of Kathryn Elise Johns in the sum of \$30,000, involving the Portland Police Bureau (Ordinance)

1. INTENDED WEDNESDAY FILING DATE: May 21, 2014
2. REQUESTED COUNCIL AGENDA DATE: June 4, 2014
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 ordinance will approve a tentative settlement agreement negotiated by the City Attorney's Office of a federal lawsuit filed by Ms. Johns against the City of Portland, Chief Mike Reese and Commander Mike Leloff.

While the City denies Ms. Johns' claims that she was unlawfully discriminated against in the course of her employment as a desk clerk with the Portland Police Bureau, Risk Management and the City Attorney's office recommend the settlement as a prudent use of resources. Ms. Johns made allegations that her privacy rights were violated, that she is a member of multiple protected classes, and that she was retaliated against for engaging in protected activities. At the time the settlement was reached, the City had a motion to dismiss many of her claims pending before the court, but it was likely that at least one claim would survive and that the case would ultimately go to trial if it was not settled.

**8. FINANCIAL IMPACT**

Approval of the settlement would result in a payment of \$1500 in back wages and \$28,500 from the liability fund.

**9. RECOMMENDATION/ACTION REQUESTED**

Approve settlement of Kathryn Elise Johns employment lawsuit in the sum of \$30,000 as an emergency ordinance.

*An Equal Opportunity Employer*

*To help ensure equal access to programs, services and activities, the Office of Management & Finance will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities upon request.*