

IMPACT STATEMENT

Legislation title: *Pay claim of Jay Silva in the sum of \$25,000 involving the Portland Police Bureau. (Ordinance)

Contact name: John W. Buehler, Sr. Claims Analyst
Contact phone: 503-823-5256
Presenter name: John W. Buehler, Sr. Claims Analyst (as needed)

Purpose of proposed legislation and background information:

This Ordinance settles a bodily injury lawsuit brought by Jay Silva, through his attorney, Marc Johnston, for injuries from an automobile occurrence. The claimant alleges that he suffered a hip injury when the police car in which he was being transported made a sudden stop. Although the City denied negligence and denied having caused any injury, the \$25,000 settlement avoids the risk of an adverse jury verdict.

Financial and budgetary impacts:

This legislation will have no impact on City revenue.

Total cost to the City to settle the claim is \$25,000. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

Community impacts and community involvement:

This Ordinance settles a tort claim resulting from an automobile near-collision incident involving a City driver. No public involvement or input was sought regarding this Ordinance. 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.

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.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount