

**FINANCIAL IMPACT STATEMENT
For Council Action Items**

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

1. Name of Initiator John Buehler		2. Telephone Number 503-823-5256		3. Bureau/Office/Department OMF/Risk Management	
4a. To be filed (date) March 17, 2011		4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>			5. Date Submitted to FPD Budget Analyst March 9, 2011

1) Legislation Title: *Pay Claim of Advantis Credit Union involving Bureau of Development Services and Bureau of Transportation.

2) Purpose of the Proposed Legislation: This ordinance will close OMF Risk Management File No. G2010-0317 for a total of \$10,982.

3) Revenue:

Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If new revenue is generated please identify the source.

This legislation will have no impact on City revenue.

4) 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)

Cost to the City is \$10,982. The source of funding is the City's Insurance and Claims Fund. All cost of the settlement is in the current fiscal year.

Staffing Requirements:

5) 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.

6) Will positions be created or eliminated in future years as a result of this legislation?

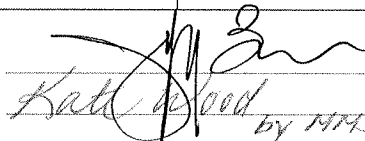
No.

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 Center Code column if new center needs to be created. Use additional space if needed.)

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Amount

Jeff Baer, Director, BIBS
Kate Wood, Risk Manager




by MMS



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

Sam Adams, Mayor
Kate Wood, Risk Manager
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DATE: March 9, 2011
TO: Mayor Sam Adams
FROM: John Buehler 
503-823-5256

FOR MAYOR'S OFFICE USE ONLY

Reviewed by Bureau Liaison _____

RE: *Pay Claim of Advantis Credit Union involving Bureau of Development Services and Bureau of Transportation (emergency)

1. **INTENDED THURSDAY FILING DATE:** March 17, 2011
2. **REQUESTED COUNCIL AGENDA DATE:** March 23, 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 claim brought against the City by Advantis Credit Union. This claim arises from an error by the City in issuing a permit for driveway construction at the Advantis site on SE Belmont Street. We are recommending the City pay \$10,982 to settle the claim.

In September 2009, the contractor for Advantis applied for a PBOT permit to install a driveway across City right-of-way onto SE 31st Avenue. The application was reviewed by a BDS planner, and the permit was approved. Shortly thereafter, the contractor demolished the existing sidewalk and curb. Unfortunately, issuance of this permit conflicted with a 1988 City of Portland Hearings Office decision changing the parking lot from residential to commercial zoning.

The contractor and Advantis cooperated with the City in restoring the demolished curb and sidewalk, and revising the parking lot plan. This settlement amount represents a negotiated settlement, which Risk Management and the involved bureaus believe is in the City's best interests.

8. FINANCIAL IMPACT

Approval of the settlement would result in a payment of \$10,982 from the liability fund.

9. RECOMMENDATION/ACTION REQUESTED

Approve settlement of Advantis Credit Union property damage claim in the sum of \$10,982.