

ORDINANCE No. 189060

* Pay settlement of employment practices lawsuit of Kathleen Preston in the sum of \$25,000 involving the Portland Parks Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Kathleen Preston, through attorney Benjamin Rosenthal, has filed a lawsuit against the City for damages related to her employment with Portland Parks and Recreation that ended on December 15, 2016.
2. Risk Management Services investigated the allegations in the suit. The investigation indicates there is risk to the City. Therefore, to avoid the risk of an adverse jury award and the expense of ongoing litigation, it is prudent to compromise the lawsuit at this time.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$25,000 subject to the claimant providing the City with a release in a form to be approved by the City Attorney.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver checks in the total amount of \$25,000 as follows:
 - 1) a payroll check paid to Kathleen Preston in the amount of \$6,240 less the usual and standard withholding taxes and deductions;
 - 2) a check jointly payable to Kathleen Preston and Benjamin Rosenthal, Attorney at Law in the amount of \$18,760 representing non-economic damages and attorney's fees and costs.
- b. Risk Management Services will execute a payment authorization in the amounts set forth in sub-paragraph (a) above.


Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this employment lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUL 18 2018

Mayor Ted Wheeler
Prepared by Becky Chiao
Date prepared: June 13, 2018

MARY HULL CABALLERO
Auditor of the City of Portland

By


Deputy

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>JUL 10 2018</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>WEC</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Mary Hull Caballero</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: OMF <i>DLH</i></p> <p>CAO: Tom Rinehart <i>TR</i></p> <p>Bureau Head: Jennifer Cooperman <i>JC</i></p> <p>Interim Manager: Debora Leopold-Hutchins <i>DLH</i></p> <p>Prepared by: Becky Chiao Date Prepared: June 13, 2018</p>	<p>ACTION TAKEN:</p>
<p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date: Wednesday, July 18, 2018</p>	

<p align="center">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	_____	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	