

## **Agenda No. 260**

### **ORDINANCE No. 190364**

\*Pay settlement of Dana Whitley employment lawsuit for the sum of \$45,000 involving the Portland Bureau of Transportation (Ordinance)

The City of Portland ordains:

**Introduced by**

Mayor Ted Wheeler

Section 1. The Council finds:

**Bureau**

Management and

Finance

Revenue and Financial

Services

Risk Management

1. Dana Whitley, through attorney Richard Myers, has filed a lawsuit against the City for employment discrimination involving the Portland Bureau of Transportation.

2. The allegations have been investigated by Risk Management Services. The investigation indicates there is risk the City may be found liable. Therefore, in order to avoid the risk of an adverse jury award, we feel it is prudent to compromise the lawsuit at this time.

**Prepared by**

Rosalia Radich

3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$45,000, subject to the claimant providing the City with a release in a form to be approved by the City Attorney.

**Date Prepared**

March 24, 2021

NOW, THEREFORE, the Council directs:

**Requested Council**

**Date**

April 21, 2021

a. The Mayor and the Auditor are hereby authorized to draw and deliver a check in the amount of \$45,000 made payable to Bennett Hartman Client Trust Account.

**Requested Agenda**

**Type**

Consent

b. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (a) above.

**Date Filed with Clerk**

April 13, 2021

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 Council: April 21, 2021

**MARY HULL CABALLERO**

Auditor of the City of Portland

By *Megan Lehman*

Deputy

Action taken:

Commissioners voted as follows (Yea or Nay)

Rubio - Yea

Ryan - Yea

Hardesty - Yea

Mapps - Yea

Wheeler - Yea