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## 190607

Emergency Ordinance

### **\*Pay settlement of Next Up Action Fund et al. lawsuit in the sum of \$10,000 involving Auditor's Office**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Next Up Action Fund, Kenya Juarez and Samantha Gladu, through attorney Margaret Olney, filed a lawsuit against the City and Auditor Mary Hull Caballero ("Auditor") for damages involving the Auditor's determination on behalf of the City of Portland finding that Next Up Action Fund violated the City's campaign funding disclosure laws.
2. The Auditor consulted its legal counsel and believes that the potential time and cost the office could incur in defending the lawsuit places a burden on and creates potential risk to the office. Therefore, to avoid the burden and potential risk associated with defending the lawsuit, the Auditor feels it is prudent to compromise the lawsuit at this time.

NOW, THEREFORE, the Council directs:

- A. The Auditor is hereby authorized to draw and deliver a check in the amount of \$10,000 made payable to Bennett Hartman Client Trust Account.
- B. The Auditor will execute a payment authorization in the amount 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 lawsuit; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
December 1, 2021

**Introduced by**

[Mayor Ted Wheeler](#)

**Bureau**

[City Attorney](#)

**Prepared by**

Dan Simon

**Date Prepared**

November 3, 2021

**Requested Agenda Type**

Consent

Auditor of the City of Portland  
Mary Hull Caballero

## Impact Statement

 [Impact Statement](#) (20.7 Kb)

## Agenda Items

836 Consent Agenda in [December 1, 2021 Council Agenda](#)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea