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191829

Emergency Ordinance

*Authorize Settlement Agreement with the Portland Police Association and Cheryl Waddell to resolve a grievance and employment discrimination claim involving the Portland Police Bureau for \$29,571

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Cheryl Waddell, through her attorney Maria Witt, has filed an employment discrimination claim against the City resulting from her employment with the Police Bureau on October 1, 2023.
2. The Portland Police Association brought a grievance on behalf of Cheryl Waddell.
3. The claim and grievance have been investigated by Risk Management Services and the City Attorney's Office. The investigation indicates there is risk the City may be found liable. Therefore, in order to avoid the risk of an adverse jury award, it is prudent to compromise the claim at this time.
4. City Attorney, Risk Management Services, and Portland Police Bureau recommends the claim be compromised for the total sum of \$29,571.36, 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 Auditor are hereby authorized to draw and deliver a check in the amount of \$5,000 made payable to Cheryl Waddell.
- B. The Mayor and the Auditor are hereby authorized to draw and deliver a payroll check in the amount of \$24,571.36, less deductions withheld, made payable to Cheryl Waddell.
- C. Risk Management Services will execute a payment authorization in the amount set forth in sub-paragraph (A) above.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Revenue and Financial Services;](#)
[Risk Management](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

July 10, 2024

Time Requested

15 minutes

D. Payroll will execute a payment authorization in the amount set forth in sub-paragraph (B) above.

Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this employment discrimination claim; 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
July 10, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This Ordinance settles an employment discrimination claim brought by Cheryl Waddell and a grievance filed on her behalf by the Portland Police Association, resulting from Cheryl Waddell's employment with the Portland Police Bureau.

Financial and Budgetary Impacts

This legislation will have no impact on City revenue.

Total cost to the City to settle the claim is \$29,571.36. The source of funding is the City's Insurance and Claims Fund and the Portland Police Bureau. All cost of the settlement is in the 23-24 fiscal year. This Ordinance does not amend the budget.

Community Impacts and Community Involvement

This Ordinance settles a tort claim and grievance resulting from a Cheryl Waddell's employment with the Portland Police Bureau. 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.

100% Renewable Goal

This legislation will have no impact on City energy use.

Budget Office Financial Impact Analysis

Total cost to the City to settle the claim is \$29,571. The source of funding is the City's Insurance and Claims Fund and the budget of the Portland Police Bureau. All costs of the settlement are in the 2023-24 fiscal year.

Document History

Item 654 Regular Agenda in [July 10, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/7/10)
(<https://www.portland.gov/council/agenda/2024/7/10>)

City Council

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea